

04-2-CZ5-1 (03-123) BCC/District 13 Hearing Date: 5/13/04

Property	Owner	(if	different	from	applicant)	Same.
----------	-------	-----	-----------	------	------------	-------

Is there	an option	to pu	urch	ase	lease □ the property predicated on the approval	of the
	request?					

Disclosure of interest form a sched? Yes ☑ No □

Previous Zoning Hearings on the Property:

<u>Year</u>	Applicant	Request	Board	Decision
1966	Bailey	- Zone change AU to RU-4L, BU-1A, and RU-5A.	BCC	Modified Approval
1971	Country Club of Miami Corp.	 Zone change from BU-1A to RU-4M. Zone change from BU-1A to RU-4L. Special exception to permit mult-fam. development. 	ВСС	Approved w/conds.
1974	American Housing System Corp.	 Variance density to permit more units per acre. Modif. condition. Special exception to permit development with higher height. 	BCC	Approved in part
1976	Robert Quest	Use variance liquor store in BU-1A spaced less than required from a religious facility an school.	BCC	Approved w/conds.
1985	Jose Milton	Modif. condition density of units per acre.	ZAB	Approved
1988	Edward McCarthy as Archbishop of Miami	Use variance religious facility.RU-3 use in BU-1A.Variance parking spaces to be less than required.	BCC	Approved w/conds.

Action taken today does not constitute a final development order, and one or more concurrency determinations will subsequently be required. Provisional determinations or listings of needed facilities made in association with this Initial Development Order shall not be binding with regard to future decisions to approve or deny an Intermediate or Final Development Order on any grounds.

DEVELOPMENTAL IMPACT COMMITTEE RECOMMENDATION TO BOARD OF COUNTY COMMISSIONERS

APPLICANT: Jose Milton, Tr.

PH: 03-123

SECTION: 11-52-40

DATE: May 13, 2004

COMMISSION DISTRICT: 12

IIŽM NO.: 1

A. INTRODUCTION

o REQUESTS:

1. BU-1A to RU-4

REQUEST #1 ON THE SOUTHERN TRACT

- 2. UNUSUAL USE for entrance features to wit: gated entrances, guardhouses and a decorative fountain.
- 3. Applicant is requesting to permit 39 street trees (49 required), 189 lot trees (541 required) and 4,823 shrubs (5,900 required).

REQUESTS #2 & #3 ON THE NORTHERN AND SOUTHERN TRACTS

4. MODIFICATION of Condition #3 of Resolution Z-190-71, passed and adopted by the Board of County Commissioners and last modified by Resolution 4-ZAB-98-85, passed and adopted by Zoning Appeals Board, reading as follows:

FROM: "3. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Apartments Conversion for Country Club Towers', as prepared by Salvador M. Cruxent, Architect, dated 12-20-84, and consisting of 3 pages."

TO: "3. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Country Club Towers Second Phase II', as prepared by Salvador M. Cruxent, consisting of 12 sheets — Sheets A1.1 & A1.2 dated last revised 01/08/04, A1.3 through A5.2 dated last revised 1/6/04 and landscape plans entitled 'Phase II Country Club Towers Apartment Complex,' as prepared by EGS2 Corp., consisting of 5 sheets, dated signed and sealed 1/6/04.

The purpose of this request is to permit the applicant to submit new site plans for a residential apartment development.

5. DELETION of Three Agreements as recorded in Official Records Book 7397, Pages 597 through 603, Official Records Book 7397, Pages 604 through 609 and Official Records Book 7397, Pages 620 through 625.

The purpose of this request is to allow the applicant to release the aforementioned agreements from the subject property which tied the residential parcel to a site plan.

REQUESTS #4 & #5 ON THE NORTHERN PARCEL

Upon a demonstration that the applicable standards have been satisfied, approval of requests #3 & #4 may be considered under §33-311(A)(15) (Alternative Site

Development Option for Multiple-Family Use) and approval of requests #5 & #6 may be considered under §33-311(A)(17) (Modification or Elimination of Conditions or Covenants After Public Hearing).

The aforementioned plans are on file and may be examined in the Zoning Department. Plans may be modified at public hearing.

SUMMARY OF REQUESTS:

The applicant is requesting a district boundary change from BU-1A, Limited Business District, to RU-4, High Density Apartment House District, on a 6.11-acre parcel (South Parcel) in order to permit the development of a 336 unit multi-family apartment complex. The applicant is also requesting the deletion of three agreements and a modification of previously approved plans for the 13.204-acre, RU-4L and RU-4M zoned property (North Parcel) in order to submit revised plans indicating the development of said parcel with an additional 84-unit, multi-family apartment building (320 currently existing) and showing pedestrian and auto connections between the North and South parcels. The applicant is also requesting an unusual use to permit entrance features and a fountain, and a non-use variance of street tree, lot tree and shrub requirements. The subject property consists of approximately 19.314 acres and is located on the southeast corner of NW 68 Avenue and NW 186 Street. If approved, the total number of units on the property would be 740.

- o LOCATION: Southwest corner of NW 68 Avenue and NW 186 Street, Miami-Dade County.
- o SIZE: 19.3 Acres

o IMPACT:

The proposed rezoning would allow the applicant to provide additional housing in the area, however, said uses would bring additional traffic and activity to the surrounding community and would impact public services.

B. ZONING HEARINGS HISTORY:

In 1966, pursuant to Resolution Z-50-66, the Board of County Commissioners (BCC) approved a zone change from AU, Agriculture District, to RU-4L, Limited Apartment House District, BU-1A, Limited Business District, and RU-5A, Semi-Professional Office District. In 1971, pursuant to Resolution Z-190-71, the BCC approved a zone change from BU-1A to RU-4M, Modified Apartment House District and RU-4L along with a special exception to permit site plan approval for a multiple-family development. In 1974, pursuant to Resolution Z-255-74, the BCC approved a use-variance to permit a density of 24.54 units per acre where 23 units per acre is permitted along with a special exception to permit a development with 5 stories where 4 stories is permitted and a height of 51' where 50' is permitted. In 1985, pursuant to Resolution 4-ZAB-98-85, the Zoning Appeals Board approved a modification to a previous Resolution and a use-variance to permit 30.9 units per acre.

C. NEIGHBORHOOD CHARACTERISTICS:

SUBJECT PROPERTY EXISTING ZONING EXISTING LAND USE PLAN

DESIGNATION

BU-1A, RU-4L and RU-4M, apartments and shopping center Office/Residential (6.108 acres) and Medium Density, 13 to 25 dwelling units per gross acre (13.204 acres)

SURROUNDING PROPERTY

NORTH RU-4A, 2-story Business and Office

apartments, Country Club of Miami Golf

Course

SOUTH BU-1A and RU-4L, Office/Residential church and 2-story

apartments

EAST BU-1A and AU, shopping Business and Office and Medium

center and school Density, 13 to 25 units per gross

acre

WEST AU and RU-4, church Medium-High Density, 25 to 60

and 2-story townhouses dwelling units per gross acre and Medium Density, 13 to 25 dwelling

units per gross acre

The subject property is located in the Country Club of Miami area of Miami-Dade County. The site is surrounded by multi-family developments consisting of 2-story apartments and 2-story townhouses. However, some 5-story apartment buildings are concentrated along NW 186 Street, between NW 67 Avenue and NW 77 Avenue.

D. SITE AND BUILDINGS:

Scale/Utilization of Site: Acceptable Location of Buildings: Acceptable

Compatibility: Acceptable Acceptable

Landscape Treatment: Acceptable
Open Space: Acceptable

Open Space:

Buffering:

Acceptable

Acceptable

Acceptable

Parking Layout/Circulation: Acceptable Visibility/Visual Screening: Acceptable

Energy Considerations: N/A
Roof Installations: N/A
Service Areas: N/A
Signage: N/A

Urban Design: Acceptable

E. PERTINENT REQUIREMENTS/STANDARDS:

The Board shall hear and grant or deny applications for **district boundary changes** taking into consideration that same must be consistent with the CDMP, with applicable area or neighborhood studies or plans, and would serve a public benefit. The Board shall take into consideration if the proposed development will have a favorable or unfavorable impact on the environmental and natural resources of Miami-Dade County, including consideration of the means and estimated cost necessary to minimize the adverse impacts, the extent to which alternatives to alleviate adverse impacts may have a substantial impact on the natural and human environment, and whether any irreversible or irretrievable commitment of natural resources will occur as a result of the proposed development. The Board shall consider if the development will have a favorable or unfavorable impact on the economy of Miami-Dade County, if it will efficiently or unduly burden water, sewer, solid waste disposal, recreation, education, public transportation facilities, including mass transit, roads, streets, and highways or other necessary public facilities which have been constructed or planned and budgeted for construction, and if the development is or will be accessible by public or private roads, street or highways.

The Board shall hear an application for and grant or deny special exceptions; that is, those exceptions permitted by regulations only upon approval after public hearing, new uses and unusual uses which by the regulations are only permitted upon approval after public hearing; provided the applied for exception or use, including exception for site or plot plan approval, in the opinion of the Community Zoning Appeals Board, would not have an unfavorable effect on the economy of Miami-Dade County, Florida, would not generate or result in excessive noise or traffic, cause undue or excessive burden on public facilities, including water, sewer, solid waste disposal, recreation, transportation, streets, roads, highways or other such facilities which have been constructed or which are planned and budgeted for construction, are accessible by private or public roads, streets or highways, tend to create a fire or other equally or greater dangerous hazards, or provoke excessive overcrowding or concentration of people or population, when considering the necessity for and reasonableness of such applied for exception or use in relation to the present and future development of the area concerned and the compatibility of the applied for exception or use with such area and its development.

Section 33-311(A)(4)(b)-Non-Use Variances from other than Airport Regulations. Upon appeal or direct application in specific cases, the Board shall hear and grant applications for non-use variances from the terms of the zoning and subdivision regulations and may grant a non-use variance upon a showing by the applicant that the non-use variance maintains the basic intent and purpose of the zoning, subdivision and other land use regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community and provided that the non-use variance will be otherwise compatible with the surrounding land uses and would not be detrimental to the community. No showing of unnecessary hardship to the land is required.

Section 33-311(A)(4)(c) - Alternative Non-Use Variance Standard. Upon appeal or direct application in specific cases to hear and grant applications for non-use variances from the terms of the zoning and subdivision regulations, upon a showing by the applicant that the variance will not be contrary to the public interest, where owing to special conditions, a literal enforcement of the provisions thereof will result in unnecessary hardship, and so the spirit of the regulations shall be observed and substantial justice done; provided, that the non-use variance will be in harmony with the general purpose and intent of the regulation, and that the same is the minimum non-use variance that will permit the reasonable use of the premises; and further provided, no non-use variance from any airport zoning regulation shall be granted under this subsection.

Section 33-311(A)(7) - The Board shall hear applications to modify or eliminate any condition or part thereof which has been imposed by any final decision adopted by resolution, provided, that the appropriate Board finds after public hearing that the modification or elimination, in the opinion of the Community Zoning Appeals Board, would not generate excessive noise or traffic, tend to create a fire or other equally or greater dangerous hazard, or provoke excessive overcrowding of people, or would not tend to provoke a nuisance, or would not be incompatible with the area concerned, when considering the necessity and reasonableness of the modification or elimination in relation to the present and future development of the area concerned.

Section 33-311(A)(17), Modification or Elimination of Conditions and Covenants After Public Hearing. The Community Zoning Appeals Board shall approve applications to modify or eliminate any condition or part thereof which has been imposed by any zoning action, and to modify or eliminate any restrictive covenants, or parts thereof, accepted at public hearing, upon demonstration at public hearing that the requirements of at least one of the paragraphs under this section has been met. Upon demonstration that such requirements have been met, an application may be approved as to a portion of the property encumbered by the condition or the restrictive covenant where the condition or restrictive covenant is capable of being applied separately and in full force as to the remaining portion of the property that is not a part of the application, and both the application portion and the remaining portion of the property will be in compliance with all other applicable requirements of prior zoning actions and of this chapter.

F. NEIGHBORHOOD SERVICES:

DERM No objection No objection Public Works Parks No objection **MDTA** No objection Fire Rescue No objection Police No objection See Exhibit "A" Schools Planning and Zoning No objection

G. RECOMMENDATION:

Approval with conditions of requests #1,2,4 and 5, subject to the Board's acceptance of the proffered covenant and subject to a reduction of 4 units on the north parcel for a total of 736 units on the subject property. Said covenant, which among other things, provides that the development of the subject site be substantially in accordance with the submitted site plan and provides that the owners will purchase Severable Use Rights to effectuate the approved site plan if necessary.

Withdrawal of request #3.

The Executive Council is of the opinion that the proposed zone change on the south parcel will be in keeping with the Comprehensive Development Master Plan (CDMP) Office/Residential designation for that parcel and with the Medium Density Residential designation on the north parcel. In addition, the Council found that the approval will not be contrary to the public interest, is in keeping with the spirit of the regulations, and will permit the reasonable use of the premises. When considering the overall intention of the CDMP, and the goals, objectives and policies of same, the current proposal helps to meet a public need, is adjacent to mass transit, provides much needed affordable housing, and is located adjacent to an activity node where these uses are encouraged. As such, the Executive Council finds that this application, with the acceptance of

the proffered covenant, will permit a residential development which is **consistent** with the CDMP and **compatible** with the surrounding area and would not be contrary to the public interest.

PROJECT DESCRIPTION

The northerly 13.204-acre portion of the subject property (North Parcel) is currently zoned RU-4M and RU-4L and is developed with a 320-unit residential complex consisting of three. 5-story apartment buildings. In 1985, said portion of the subject parcel received a use variance and site plan approval permitting the conversion of the 320 previously approved residential units to 400 residential units, and a use variance request to permit a density of 30.9 units per acre to allow the additional 80 units. Staff notes that mathematically the 30.9 units per acre density would theoretically permit 88 additional units for a total of 408 units. However, the approved density was limited to the additional 80 units for a total of 400 units in order to allow the existing oversized apartments to be converted into smaller rentable units. The applicant's letter of intent represented that the application was for interior modifications only to convert 3-bedroom apartments which were virtually impossible to rent into 1 and 2 bedroom and studio units resulting in the same number of bedrooms (565), and no exterior building alterations were contemplated at that time. Staff notes, however, that the 80-unit conversion did not take place subsequent to the 1985 public hearing and the use variance has not been utilized. As part of the modification request for this hearing and according to the currently submitted site plan, the applicant proposes to develop 84 additional units for a total of 404 units (at a density of 30.6 units per acre) and a total of 753 bedrooms. The proposed plans indicate the construction on the North Parcel of a new 6-story apartment building. Staff notes that the 1985 Resolution did not rely on the exact mathematical calculation of the 30.9 unit density (which would have allowed a total of 88 units), and only approved an additional 80 units.

The southerly 6.11 acres of the subject property (South Parcel) is zoned BU-1A and currently developed with a retail complex known as the Country Club of Miami Village Center. As part of the rezoning of this portion of the subject property to RU-4 and in accordance with the submitted site plan, the applicant will demolish the existing decayed retail center and redevelop the site with 336 residential units in two, 6-story apartment towers and a detached parking garage.

The site plan submitted for the entire 19.314-acre property indicates a multi-family development consisting of three existing, 5-story apartment buildings, and three proposed 6-story apartment buildings with a 4-level parking garage. The existing apartment buildings located on the North Parcel are currently comprised of three rectangularly shaped buildings arranged around a landscaped courtyard fitted with a 1-story recreation building and swimming pool. A new 6-story building will be added to the courtyard to form part of the existing complex. Parking for the existing and new buildings is located along the entire perimeter of the parcel. On the South Parcel, two apartment towers, also 6-stories in height, are arranged parallel to each other with a multi-level parking garage flanking both buildings. A new 1-story gymnasium and swimming pool is placed between the apartment buildings and includes 17 parking spaces to serve people visiting the complex or using the recreation building. The applicant is also proposing a clubhouse facility and a small convenience store that will only serve residents of the complex. Additional parking for residents and visitors to the apartment buildings will be available in a parking lot that is located along the site's south property line. Access into the development occurs off a gated entrance feature located adjacent to NW 68 Avenue. Once inside, a boulevard provides access to the parking area for the existing 5-story apartment buildings and the new 6-story apartment buildings, and to the proposed parking garage. A second entrance into the residential complex is provided off NW 186 Street but will only be utilized by residents of the multifamily facility. If developed, the unified 19.314-acre multi-family parcel will consist of a total of 740 apartment units made up of the 320 existing apartments and a new 6-story 84-unit apartment building located on

the North Parcel (for a total of 404 units) and 336 new apartments on the South Parcel. The development will include numerous pedestrian and vehicular connections providing interconnectivity to all areas of the new, much larger residential complex. The applicant intends to proffer a covenant limiting the development to a maximum of 740 units and tying the development of the site to the submitted plans.

COMMENTS AND MAJOR CONCERNS

Ordinance Number 75-47 charges the Developmental Impact Committee (DIC) to address applications with respect to: (I) conformance with all applicable plans; (II) environmental impact; (III) impact on the economy; (IV) impact on essential services; and (V) impact on public transportation facilities and accessibility.

The following comments address these specific charges with regard to the subject application:

I. CONFORMANCE WITH ALL APPLICABLE PLANS

A. RELEVANCE TO THE COMPERHENSIVE DEVELOPMENT MASTER PLAN

APPLICABLE CDMP GOALS, OBJECTIVES AND POLICIES

Land Use Objective 3

Assist the private sector in providing affordable housing products in sufficient numbers throughout the County by the year 2015, (approximately 272,000 units), keeping in mind the housing needs of existing and future residents as well as making an appropriate percentage (about 49 percent) of new affordable housing available to very low, low and moderate income residents.

Land Use Objective 5

Upon the adoption of this plan, all public and private activities regarding the use, development and redevelopment of land and the provision of urban services and infrastructure shall be consistent with the goal, objectives and policies of this Element, with the adopted Population Estimates and Projections, and with the future uses provided by the adopted Land Use Plan (LUP) map and accompanying text titled "Interpretation of the Land Use Plan Map", as balanced with the Goals, Objectives and Policies of all Elements of the Comprehensive Plan.

Land Use Element Goal

Provide the best possible distribution of land use and services to meet the physical, social, cultural, and economic needs of the present and future populations in a timely and efficient manner that will maintain or improve the quality of the natural and man-made environment and amenities, and preserve Miami-Dade County's unique agricultural lands.

Land Use Policy 2A

All development orders authorizing new, or significant expansion of existing, urban land uses shall be contingent upon the provision of services at or above the Level of Service (LOS) standards specified in the Capital Improvements Element (CIE).

Land Use Policy 5B

All development orders authorizing a new land use or development, or redevelopment, or significant expansion of an existing use shall be contingent upon an affirmative finding that the development or use conforms to, and is consistent with the goals, objectives and policies of the CDMP including the adopted LUP map and accompanying "Interpretation of the Land Use Plan Map". The Director of the Department of Planning and Zoning shall be the principal administrative interpreter of the CDMP.

Land Use Policy 1C

Miami-Dade County shall give priority to infill development on vacant sites in currently urbanized areas, and redevelopment of substandard or underdeveloped environmentally suitable urban areas contiguous to existing urban development where all necessary urban services and facilities are projected to have capacity to accommodate additional demand.

Land Use Policy 2C

Foster a diversity of affordable housing types within areas by the County's Comprehensive Development Master Plan to include single-family detached housing single-family attached and duplex housing, multi-family housing and mobile or manufactured homes.

Land Use Policy 1G

To promote housing diversity and to avoid creation of monotonous developments, Miami-Dade County shall vigorously promote the inclusion of a variety of housing types in all residential communities through its area planning, zoning, subdivision, site planning and housing finance activities, among others. In particular, Miami-Dade County shall review its zoning and subdivision practices and regulations and shall amend them, as practical, to promote this policy.

Land Use Element I-45

The entire unincorporated area within the UDB is eligible to receive and utilize Severable Use Rights (SURs) in accordance with provisions of Chapter 33-B Code of Metropolitan Dade County. Accordingly, certain developments as specified in Chapter 33-B may be entitled to density or floor area bonuses as authorized by Chapter 33-B. If the existing SUR program is modified pursuant to Land Use Element Policy 8C or other transferable development rights programs are established, all rights established by such programs shall be transferable to receiver sites inside the UDB as established in those programs.

Land Use Element I-24

Severable Use Rights (SURs) may be transferred to parcels within the Urban Development Boundary. When Severable Use Rights are utilized on residentially designated parcels, development will be allowed to exceed the maximum limits designated for the site or affected portions of it; however, this provision does not authorize the granting of a zoning district that, without use of SURs, would exceed the Plan density limit.

Land Use Policy 9C

Miami-Dade County shall continue to encourage and promote the transfer of Severable Use Rights (SURs) from lands which are allocated SURs in Chapter 33B, Code of Miami-Dade County, to land located within the Urban Development Boundary as designated on the LUP map.

Land Use Policy 9M

By 1998, Miami-Dade County shall develop an urban design manual establishing design guidelines. This manual shall provide additional criteria for use in review of all new residential, commercial and industrial development in unincorporated Miami-Dade County. The Adopted 2005 and 2015 Land Use Plan designates the subject property as being within the Urban Development Boundary for **Medium Density Residential**, 13 to 25 dwelling units per gross acre (13.204 acres/North Parcel) and **Office/Residential** (6.11 acres/South Parcel).

Statement of Legislative Intent

The Board recognizes that a particular application may bring into conflict, and necessitate a choice between, different goals, priorities, objectives, and provisions of the CDMP. While it is the intent of the Board that the Land Use Element be afforded a high priority, other elements must be taken into consideration in light of the Board's responsibility to provide for the multitude of needs of a large heavily populated and diverse community.

Recognizing that County Board and agencies will be required to balance competing policies and objectives of the CDMP, it is the intention of the County Commission that such boards and agencies consider the overall intention of the CDMP as well as portions particularly applicable to a matter under consideration in order to ensure that the CDMP, as applied will protect the public health, safety and welfare.

Land Use Element I-20.1

The CDMP text describes each land use category shown on the Land Use Plan (LUP) map, and explains how each category and the Map are to be interpreted and used. Adherence to the LUP map and this text is a principal, but not the sole, vehicle through which many of the goals, objectives and policies of all elements of the CDMP are implemented.

Land Use Element I-21

Intersections of section line roads shall serve as focal points of activity, hereafter referred to as activity nodes. Activity nodes shall be occupied by any nonresidential components of the neighborhood including public and semi-public uses. When commercial uses are warranted, they should be located within these activity nodes. In addition, of the various residential densities which may be approved in a section through density averaging or on an individual site basis, the higher density residential uses should be located at or near the activity nodes.

Areas abutting and adjacent to activity nodes should serve as transition areas suitable for eligible higher residential densities, public and semi-public uses including day care and congregate living uses.

Land Use Element Concepts

Rejuvenate decayed areas by promoting redevelopment, rehabilitation, infilling and the development of activity centers containing a mixture of land uses.

Promote development of concentrated activity centers of different sizes and character to provide economies of scale and efficiencies of transportation and other services for both the public and private sectors.

Redirect higher density development towards activity centers or areas of high countywide accessibility.

Housing Element Goal II

Identify and provide more affordable housing opportunities from within the existing housing stock and ensure its efficient use through rehabilitation, infill development, and adaptive conversion of non-residential structures to housing use throughout Dade County.

Housing Element Policy 2C

Foster a diversity of affordable housing types within areas defined by the County's Comprehensive Development Master Plan to include single-family detached housing, single-family attached and duplex housing, multi-family housing and mobile or manufactured homes.

Housing Element Objective 3

Assist the private sector in providing affordable housing products in sufficient numbers throughout the County by the year 2015, (approximately 272,000 units), keeping in mind the housing needs of existing and future residents as well as making an appropriate percentage (about 49 percent) of new affordable housing available to very low, low and moderate income residents.

Housing Element III-1

This Element addresses needs that must be met primarily by the private sector. Housing is different. Local governments today build little or no new housing. Instead they provide plans, programs, and development regulations (zoning, building codes, etc.) to guide the private sector in the development of new housing.

Transportation Element 4A

Dade County, with private sector assistance, shall provide mass transit service appropriate for the mix and intensity of development of urban centers identified in the Land Use Element.

Transportation Element 5D

The County shall promote increased affordable housing development opportunities within proximity to areas served by mass transit.

Land Use Element Policy 7C

New residential and non-residential developments, subdivisions and replats shall provide for buildings that front the transit street, or provide streets or pedestrian connections that intersect with the transit street in close proximity to bus stops not more than 700 feet apart and, as appropriate, shall provide for new bus stops and/or pullouts.

Land Use Element I-1

The Land Use Element is at the same time both reactive and proactive. It not only reflects previously adopted plans and established land use and zoning patterns, it also establishes the County's policy regarding future zoning and land use patterns. Similarly, while it reflects existing urban service capacities and constraints, it also establishes locations where future service improvements will have to follow. It also both reflects, and seeks to promote, activity in the private land market. Recent development trends are carefully considered, however, the Land Use Element endeavors to assert County influence on locations and intensity of future development activity.

Medium Density Residential

This category allows densities from 13 to 25 dwelling units per gross acre. The type of housing structures typically permitted in this category include townhouses and low-rise and medium-rise apartments.

Medium-High Density Residential

This category authorizes apartment buildings ranging from 25 to 60 dwelling units per gross acre. In this category, the height of buildings and, therefore, the attainment of densities approaching the maximum, depends to a great extent on the dimensions of the site, conditions such as location and availability of services, ability to provide sufficient off-street parking, and the compatibility with and the impact of the development on surrounding areas.

Office/Residential

Uses allowed in this category include both professional and clerical offices, hotels, motels, and residential uses. Office developments may range from small-scale professional office to large-scale office parks. A specific objective in designing developments to occur in this category is that the development should be compatible with any existing, zoned, or Plandesignated adjoining or adjacent residential uses. The maximum scale and intensity, including height and floor area ratio of office, hotel and motel development in areas designated Office/Residential shall be based on such factors as site size, availability of services, accessibility, and the proximity and scale of adjoining or adjacent residential uses. Where the Office/Residential category is located between residential and business categories, the points of ingress and egress, should be oriented toward the business side of the site, and the residential side of the site should be designed with sensitivity to the residential area and, where necessary, well buffered both visually and acoustically.

> Residential uses are also allowed in the Office/Residential category. In these locations, residential density may be approved up to one density category higher than that allowed in the adjoining residentially designated area on the same side of the abutting principal roadway, or up to the density of existing adjoining or adjacent residential development, or zoning if the adjacent or adjoining land is undeveloped whichever is higher. If there is no adjacent or adjoining residential development existing, zoned or designated on the same side of the abutting principal roadway, then the allowable maximum residential density shall be based on that which exists or which the plan allows across the roadway. Where there is no residential use, zoning or designation on either side of the roadway. the intensity of residential development, including height, bulk and floor area ratio shall be no greater than that which would be permitted for an exclusively office use of the site. When residential uses are mixed with office uses, the overall scale and intensity, including height and floor area ratio of the mixed-use development shall be no greater than that which would be approved if the parcel was developed in either office use only or residential use only, whichever is higher. Within the Office/Residential category, business uses ancillary and to serve the on-site use(s) may be integrated in an amount not to exceed 15 percent of the total floor area. However, the Office/Residential category does not authorize other business or commercial uses.

Uses and Zoning Not Specifically Depicted

Some existing uses and zoning are not specifically depicted on the LUP map. All existing lawful uses and zoning are deemed to be consistent with this Plan as provided in the section of this chapter titled "Concepts and Limitations of the Land Use Plan Map". The limitations referenced in this paragraph pertain to existing zoning districts and uses.

Uses and Zoning Not Specifically Depicted on the LUP Map

Within each map category numerous land uses, zoning classifications and housing types may occur. Many existing uses and zoning classifications are not specifically depicted on the Plan map. This is due largely to the scale and appropriate specificity of the countywide LUP map, graphic limitations, and provisions for a variety of uses to occur in each LUP map category. In general, 5 acres is the smallest site depicted on the LUP map, and smaller existing sites are not shown. All existing lawful uses and zoning are deemed to be consistent with this Plan unless such a use or zoning (a) is found through a subsequent planning study, as provided in Land Use Policy 4E, to be inconsistent with the criteria set forth below; and (b) the implementation of such a finding will not result in a temporary or permanent taking or in the abrogation of vested rights as determined by the Code of Metropolitan Dade County, Florida. The criteria for determining that an existing use or zoning is inconsistent with the plan are as follows: 1) Such use or zoning does not conform with the conditions, criteria or standards for approval of such a use or zoning in the applicable LUP map category; and 2) The use or zoning is or would be incompatible or has, or would have, an unfavorable effect on the surrounding area: by causing an undue burden on transportation facilities including roadways and mass transit or other utilities and services including water, sewer, drainage, fire, rescue, police and schools: by providing inadequate off-street parking, service or loading areas; by maintaining operating hours, outdoor lighting or signage out of character with the neighborhood; by creating traffic, noise, odor, dust or glare out of character with the neighborhood; by posing a threat to the natural environment including air, water and living resources; or where the character of the buildings, including height, bulk, scale, floor area ratio or design would detrimentally impact the surrounding area. Also deemed to be consistent with this Plan are uses and

zoning which have been approved by a final judicial decree that has declared this Plan to be invalid or unconstitutional as applied to a specific piece of property. The presence of an existing use or zoning will not prevent the County from initiating action to change zoning in furtherance of the Plan map, objectives or policies where the foregoing criteria are met. The limitations outlined in this paragraph pertain to existing zoning and uses. All approval of new land uses must be consistent with the LUP map and the specific land use provisions of the various LUP map categories, and the objectives and policies of this Plan. However, changes may be approved to lawful uses and zoning not depicted which would make the use or zoning substantially more consistent with the Plan, and in particular the Land Use Element, than the existing use or zoning.

Other Land Uses Not Addressed

Certain uses are not authorized under any LUP map category, including many of the uses listed as "unusual uses" in the zoning code. Uses not authorized in any LUP map category may be requested and approved in any LUP category that authorizes uses substantially similar to the requested use. Such approval may be granted only if the requested use is consistent with the objectives and policies of this Plan, and provided that the use would be compatible and would not have an unfavorable effect on the surrounding area: by causing an undue burden on transportation facilities including roadways and mass transit or other utilities and services including water, sewer, drainage, fire, rescue, police and schools: by providing inadequate off-street parking, service or loading areas; by maintaining operating hours, outdoor lighting or signage out of character with the neighborhood; by creating traffic, noise, odor, dust or glare out of character with the neighborhood; by posing a threat to the natural environment including air, water, and living resources: or where the character of the buildings, including height, bulk, scale, floor area ratio or design would detrimentally impact the surrounding area. However, this provision does not authorize such uses in Environmental Protection Areas designated in this Element.

DEPARTMENT OF PLANNING AND ZONING DIRECTOR'S EVALUATION

This application was deferred from the November 26, 2003, the December 17, 2003, the January 14, 2004, and the February 4, 2004, meetings of the DIC Executive Council in order to give the applicant an opportunity to work with staff. The applicant, Jose Milton Trust, is requesting a zone change from BU-1A, Limited Business District, to RU-4, High Density Apartment House District, on a 6.11-acre parcel (South Parcel) in order to permit the development of a multi-family apartment complex consisting of a parking garage and two. 6story buildings housing a total of 336 residential units. In addition, the applicant is requesting the deletion of 3 agreements and a modification of previously approved plans for a 13.204acre, RU-4L and RU-4M zoned property (North Parcel) in order to submit revised plans indicating the development of said parcel with one additional 6-story apartment building containing 84 residential units (320 units currently existing) and showing pedestrian and auto connections between the North and South parcels. The applicant is also requesting an unusual use to permit entrance features, a guardhouse and a fountain, and a variance of street tree, lot tree and shrub requirements. RU-4 zoning permits the development of multifamily housing at a maximum density of 50 units per net acre, with building heights that may be proposed to any height except as controlled by the shadow provisions, floor area ratio, setbacks and airport regulations of the code. The unified multi-family development will be approximately 19.314 acres in size and is located in the southeast corner of NW 68 Avenue and NW 186 Street.

> The CDMP designates the 6.11 acres of the southerly portion of the subject property (South Parcel) for Office/Residential. Uses allowed in this category include both professional and clerical offices, hotels, motels, and residential uses. Office developments may range from small-scale professional office to large-scale office parks. A specific objective in designing developments to occur in this category is that the development should be compatible with any existing, or zoned, or Plan-designated adjoining or adjacent residential uses. locations, residential density may be approved up to one density category higher than that allowed in the adjoining or_adjacent residentially designated area on the same side of the abutting principal roadway, or up to the density of existing adjoining or adjacent residential development, or zoning if the adjacent or adjoining land is undeveloped, whichever is higher. In ascertaining the density permitted on the South Parcel, staff notes that the northerly 13.02 acres of the subject site (North Parcel) are designated for Medium Density Residential use on the 2005-2015 Adopted Comprehensive Development Master Plan (CDMP) Land Use Plan map. This residential category would permit a maximum density of 25 units per gross acre. The 6.11-acre portion that is designated Office/Residential (South Parcel) can potentially be developed at one density category higher than that allowed in the adjoining or adjacent residentially designated area on the same side of the abutting principal roadway. One density category higher than the designated Medium Density Residential portion to the north would be the Medium-High Density Residential designation, which allows a maximum residential density of 60 units per gross acre. As such, the South Parcel can be developed at a maximum of 60 units per gross acre for a total of 366 units. Additionally, staff notes that although the existing BU-1A zoning is consistent with the CDMP, the CDMP states that changes may be approved to lawful uses and zoning not depicted which would make the use or zoning substantially more consistent with the Plan, and in particular the Land Use Element, than the existing use or zoning. The residential rezoning of the BU-1A portion of the property to RU-4 would make the zoning substantially more consistent with the CDMP since the LUP map designates the BU-1A parcel for office/residential uses and not for business use. Staff notes that RU-4 zoning would permit a maximum of 305 units at a density of 50 units per acre on the 6.11-acre South Parcel. The applicant will be purchasing thirty one (31) Severable Use Rights (SURs) in order to develop said Parcel with 336 units at a density of 55 units per net acre. Section 33B-45 of the Miami-Dade County Code states that the developer of a parcel of land may develop, in addition to the number of dwelling units authorized in each zoning district, one (1) dwelling unit for each severable use right, provided that the total development proposed does not exceed specific limitations outlined in said section. RU-4 zoning allows up to 50 dwelling units per net acre. However, with the use of SUR's, the density may be increased to 55 dwelling units per net acre. The applicant intends to proffer a covenant restricting the development to the plans submitted in conjunction with this application and indicating that the required number of SUR's will be submitted to the Department prior to final plat approval. The development of the South Parcel with 336 dwelling units will be consistent with the density permitted by the CDMP which would allow a maximum development of 366 units on this site.

> According to the Master Plan's interpretative text, a specific objective in designing developments to occur in the Office/Residential categories, in this case the South Parcel, is that the development should be compatible with any existing, zoned, or Plan-designated adjoining or adjacent residential uses. In addition, the Master Plan's Medium High Residential category authorizes apartment buildings ranging from 25 to 60 dwelling units per gross acre. In this category, the height of buildings and, therefore, the attainment of densities approaching the maximum, depends to a great extent on the dimensions of the site, conditions such as location and availability of services, ability to provide sufficient off-street parking, and the compatibility with and the impact of the development on surrounding areas. Staff is of the opinion that, as proposed, the intensity and scale of the two, 53' high 6-story towers proposed

on the South Parcel is not out of character with and is **compatible** with the 5-story, 43'-4" high apartment buildings existing on the North Parcel of the subject property. Although the new structures are higher than the existing, staff opines that the 10' height difference is minor and is not a visual detriment to the surrounding residential community. Staff notes that there are mid-rise apartments in the area, especially along the Miami Gardens Drive corridor extending between NW 57 Avenue and NW 87 Avenue, with heights not exceeding 5 stories, and which are close in height and scale to the proposed 6-story buildings. In staff's opinion, the proposed 53' apartment height is not an obvious departure from the existing building scale and intensity of the surrounding area that is mainly characterized by mid-rise and low-rise structures. The submitted site plan indicates a garage on the South Parcel that will be able to house the parking needs of its future residents; therefore, auto spillage into adjacent residential areas will not be a concern. Moreover, the site plan indicates that the building footprints of those structures proposed on the South Parcel will accommodate the requested density and still permit a significant area for open space that includes a clubhouse with gymnasium, swimming pool, and a green area for active recreation.

As previously mentioned, in 1985 the North Parcel was granted a modification of previously approved plans and a use variance to permit the conversion of 320 units into 400 units for a maximum of 80 additional units with no increase in bedrooms and no exterior building alterations. The applicant is currently relying on the prior density calculation of 30.9 units per net acre in order to construct 84 more units on the site (4 more than permitted in 1985). The CDMP states that all existing lawful uses and zoning are consistent with the CDMP. As such, the existing 1985 approval on the North Parcel allowing the conversion of 320 units into 400 is consistent with the CDMP. Staff notes that the Land Use Plan (LUP) map designates the North Parcel for medium density residential use which would permit a maximum of 25 dwelling units per acre. In accordance with this LUP map designation the maximum number of units permitted on this parcel would be 325. As such, the 404 units proposed by the applicant will be inconsistent with the density permitted on this site by the CDMP, unless the CDMP otherwise deems the proposal to be consistent. The CDMP states that all existing lawful uses and zoning are deemed to be consistent with the CDMP. However, changes may be approved to lawful uses and zoning not depicted which would make the use or zoning substantially more consistent with the Plan, and in particular the Land Use Element, than the existing use or zoning.

The CDMP text also states that:

The Board recognizes that a particular application may bring into conflict, and necessitate a choice between, different goals, priorities, objectives, and provisions of the CDMP. While it is the intent of the Board that the Land Use Element be afforded a high priority, other elements must be taken into consideration in light of the Board's responsibility to provide for the multitude of needs of a large heavily populated and diverse community.

Recognizing that County Board and agencies will be required to balance competing policies and objectives of the CDMP, it is the intention of the County Commission that such boards and agencies consider the overall intention of the CDMP as well as portions particularly applicable to a matter under consideration in order to ensure that the CDMP, as applied will protect the public health, safety and welfare.

All development orders authorizing a new land use or development, or redevelopment, or significant expansion of an existing use shall be contingent upon an affirmative finding that the development or use conforms to, and is consistent with the goals, objectives and policies of the CDMP including the adopted LUP map and accompanying "Interpretation of the Land Use Plan Map". The Director of the Department of Planning and Zoning shall be the principal administrative interpreter of the CDMP.

The Land Use Plan map of the CDMP is a framework indicating the large-scale pattern of future land use in the metropolitan area. The land use pattern indicated on the Plan map is very detailed from a countywide perspective. However, the map does not specifically depict each and every individual occurrence of land use and zoning throughout the hundreds of neighborhoods which comprise Dade County; each of the land use categories indicated on the LUP map contains dominant uses, ancillary uses and secondary uses. The land use categories used on the LUP map are necessarily broad, and there are numerous instances where existing uses and parcels zoned for a particular use, are not specifically depicted on the Land Use Plan map. This is due largely to graphic limitations.

The CDMP text describes each land use category shown on the Land Use Plan (LUP) map, and explains how each category and the Map are to be interpreted and used. Adherence to the LUP map and this text is a principal, but not the sole, vehicle through which many of the goals, objectives and policies of all elements of the CDMP are implemented.

In adopting the CDMP the Board of County Commissioners recognized the limitation of the LUP map. As such, the densities allowed by the LUP map are not the sole guide for determining consistency. Staff must consider all the pertinent language in the text and the "overall" intention of the CDMP in order to make an affirmative finding of consistency.

In analyzing this application, staff recognizes that the property is located within a transition area adjacent to an activity node (see attached Exhibit A). The CDMP text states that:

Intersections of section line roads shall serve as focal points of activity, hereafter referred to as activity nodes. Activity nodes shall be occupied by any nonresidential components of the neighborhood including public and semi-public uses. When commercial uses are warranted, they should be located within these activity nodes. In addition, of the various residential densities which may be approved in a section through density averaging or on an individual site basis, the higher density residential uses should be located at or near the activity nodes.

Areas abutting and adjacent to activity nodes should serve as transition areas suitable for eligible higher residential densities, public and semi-public uses including day care and congregate living uses.

Among the long-standing concepts embodied in Dade County's CDMP are the following:

- Rejuvenate decayed areas by promoting redevelopment, rehabilitation, infilling and the development of activity centers containing a mixture of land uses.
- Promote development of concentrated activity centers of different sizes and character to provide economies of scale and efficiencies of transportation and other services for both the public and private sectors.
- Redirect higher density development towards activity centers or areas of high countywide accessibility.

The subject site is located adjacent to an activity node and the CDMP provides that authorized higher density development, should be located at or near activity nodes, and that transition areas (where the subject site is located) are eligible for higher residential densities. In accordance with the CDMP's Housing Element, in 1995 the Department estimated a need for 1758 multi-family rental units between the years 2005 and 2015 in census tracts 101.17 and 101.18 where the subject property is located (see attached Exhibit B).

In Addition, the CDMP establishes a framework for the housing needs of the current and future population of Miami-Dade County, and in particular, addresses the need for affordable housing. The Housing Element in the text recognizes that this need must be met primarily by the private sector. Regarding housing in Miami-Dade County the text states that the County must:

Identify and provide more affordable housing opportunities from within the existing housing stock and ensure its efficient use through rehabilitation, infill development, and adaptive conversion of nonresidential structures to housing use throughout Dade County.

Foster a diversity of affordable housing types within areas defined by the County's Comprehensive Development Master Plan to include single-family detached housing, single-family attached and duplex housing, multi-family housing and mobile or manufactured homes.

Assist the private sector in providing affordable housing products in sufficient numbers throughout the County by the year 2015, (approximately 272,000 units), keeping in mind the housing needs of existing and future residents as well as making an appropriate percentage (about 49 percent) of new affordable housing available to very low, low and moderate income residents.

This Element addresses needs that must be met primarily by the private sector. Housing is different. Local governments today build little or no new housing. Instead they provide plans, programs, and development regulations (zoning, building codes, etc.) to guide the private sector in the development of new housing.

The applicant is proposing the construction of an affordable housing development. Housing, especially affordable housing needs as stated in the CDMP text, must be primarily met by the private sector. Noting the increase in population growth in Miami-Dade County (1.5% per year equivalent to 30,000 people) it is the County's responsibility to guide individuals in the private sector that are willing to construct housing, especially affordable housing, to meet the needs of low and moderate-income families. The Land Use Element as well as the entire CDMP text establish the County's future zoning and land use patterns. It reflects, and seeks to promote activity in the private land market, and to influence the location and intensity of future development activity. Affordable housing must meet the growing needs of the community and the private sector must offer a variety of housing types to accommodate these needs.

This application does not seek to demolish housing structures or to contribute to the loss of the existing housing stock in this urbanized area. On the contrary, the applicant intends to build new multi-family housing to meet the needs of a growing population. The applicant can currently utilize the 1985 approval on the North Parcel and convert the existing 320 units into 400 units. However, this would require the interior demolition of existing units and the displacement of the current residents of this apartment development which is currently at 100% occupancy. When the use variance was approved in 1985, the Executive Council recognized that the proposed density was considerably higher that the CDMP limit. The Council made a finding that the higher density would create needed additional rental housing of appropriate size without adversely affecting County services.

The subject site is located within the urban development boundary and abuts Miami Gardens Drive which is served by mass transit. The residents of the affordable housing project which are transit dependent persons will benefit from the proximity of their homes to a mass transit route (bus route 38 serves this area) and there is an existing bus stop located on the northwest corner of the site. The applicant has indicated his intent to work with Miami-Dade Transit in order to provide an additional bus stop as necessary along NW 186th street or NW 68th Avenue.

The CDMP text states that:

The County shall promote increased affordable housing development opportunities within proximity to areas served by mass transit.

Dade County, with private sector assistance, shall provide mass transit service appropriate for the mix and intensity of development of urban centers identified in the Land Use Element.

New residential and non-residential developments, subdivisions and replats shall provide for buildings that front the transit street, or provide streets or pedestrian connections that intersect with the transit street in close proximity to bus stops not more than 700 feet apart and, as appropriate, shall provide for new bus stops and/or pullouts.

The Land Use Element is at the same time both reactive and proactive. It not only reflects previously adopted plans and established land use and zoning patterns, it also establishes the County's policy regarding future zoning and land use patterns. Similarly, while it reflects existing urban service capacities and constraints, it also establishes locations where future service improvements will have to follow. It also both reflects, and seeks to promote, activity in the private land market.

Recent development trends are carefully considered, however, the Land Use Element endeavors to assert County influence on locations and intensity of future development activity.

The development density previously approved and currently proposed on the North parcel exceeds the medium-density permitted by the LUP map designation. However, changes may be approved to lawful uses and zoning not depicted which would make the use or zoning substantially more consistent with the Plan, and in particular the Land Use Element, than the existing use or zoning. As stated by the CDMP text the Map is not the sole vehicle for determining consistency. Other elements must also be taken into consideration in order to provide for the multitude of needs within this diverse community. According to the CDMP text, staff has determined that this property is located in a transition area adjacent to an activity node where higher residential densities should be redirected. The proposed multi-family development on this site is the type of use intended for these transition areas. The CDMP states that the County must assist and guide the private sector in providing affordable housing products in sufficient numbers throughout the County, and shall promote affordable housing within proximity to areas served by mass transit. The text also requires the County to both reflect and seek to promote infilling, activity in the private land market to meet a public need, and to assert its influence on locations and intensity of future development activity. This application addresses all the goals cited above, and as such, the proposed change to the 1985 approval would make the use substantially more consistent with the CDMP. The approval of this application would permit the development of the property with a total of 740 units (336 units on the South Parcel and 404 units on the North Parcel). However, if only the request pertaining to the South Parcel is approved, the applicant can then proceed to construct 336 units on said Parcel and can still rely on the 1985 approved plan and density on the North Parcel to convert the existing 320 units into 400 units for a total of 736 units. Although staff cannot justify the additional 4 units on the North Parcel requested by the applicant, staff is of the opinion that the modification of plans permitting the previously approved 400 units on the North Parcel should be granted. The number of units is the same as that approved in 1985 (which the applicant is still entitled to use if a conversion occurs). The aforementioned approval is grandfathered since zoning approvals run with the land and is consistent with the CDMP which states that all existing uses and zoning are consistent with the CDMP.

The requests on the North Parcel seek to modify a previously approved site plan, and to eliminate 3 agreements that encumber the property. Said requests can be analyzed under Section 33-311(A)(7) of the Zoning Code that states that the Board shall hear applications to **modify or eliminate** any conditions or part thereof which has been imposed by any final decision adopted by resolution; provided, that the modification or elimination would not generate excessive noise or traffic, tend to create a fire or other equally or greater dangerous hazard, or provoke excessive overcrowding of people, or would not tend to provoke a nuisance, or would not be incompatible with the area concerned considering its present and future development. The 53' high, 6-story building that will be added to the North Parcel is able to absorb the additional residential density in a manner that still permits the preservation of areas reserved for open space and recreation. Similar to the South Parcel buildings, the 6-story residential structure proposed for the North Parcel is not out of character with the area.

The applicant has indicated that the required number of trees and shrubs will be provided at the time of development. As such, request # 3 requesting to permit less

street trees, lot trees and shrubs than required can be denied without prejudice unless withdrawn by the applicant. The unusual use request for entrance features and a fountain (request # 4) is supported by staff since it provides a focal point and identity to the development.

This application will provide much needed housing for the community, will allow a diversity of rental units, will not displace 320 families who currently reside on the property, will permit the same number of units that are currently approved on the North Parcel and will improve the appearance of the area by providing substantial landscaping. The approval will not be contrary to the public interest, is in keeping with the spirit of the regulations, and will permit the reasonable use of the premises. When considering the overall intention of the CDMP, and the goals, objectives and policies of same, the current proposal helps to meet a public need, is adjacent to mass transit, provides much needed affordable housing, and is located adjacent to an activity node where these uses are encouraged. As previously noted, if this application is approved the applicant will be permitted a total of 736 units. However, should the modification on the North Parcel not be granted the applicant can still rely on the 1985 approval which runs with the land and be permitted a total of 736 units. As such, staff is of the opinion that this application would permit a development that would be consistent with the CDMP and compatible with the area.

B. MULTI-YEAR CAPITAL IMPROVEMENTS PROGRAM

The General Services Administration department has reviewed this application with respect to its compatibility with the County's current Capital Budget and Multi-Year Capital Plan. This plan is prepared pursuant to state growth management legislation and the Miami-Dade County code. This application does not conflict with the current plan.

II. ENVIRONMENTAL IMPACT

A. WATER MANAGEMENT

All stormwater shall be retained on site utilizing properly designed seepage or infiltration drainage structures. Drainage plans shall provide for full on-site retention of the stormwater runoff of a 5 year storm event. Pollution control devices shall be required at all drainage inlet structures.

A Standard General Environmental Resource Permit from DERM shall be required for the construction and operation of the required surface water management system. The applicant is advised to contact DERM in order to obtain additional information concerning permitting requirements.

Site grading and development shall comply with the requirements of Chapter 11C of the Code of Miami-Dade County. Any proposed development shall comply with county and federal flood criteria requirements. The proposed development order, if approved, will not result in a reduction in the Level of service standards for flood protection set forth in the CDMP subject to compliance with the conditions required by DERM for this proposed development order.

B. HAZARDOUS WASTE

A review of DERM records indicates that there are no records of current or historical contamination, assessment, or remediation issues on the subject property. A search within 500 feet of the property was conducted and the following sites were identified as having current or historical contamination issues:

Dry Clean USA
18468 NW 67 Avenue
IW5-3394
Dry cleaning solvent contaminated site. Currently in a state administered cleanup program.

C. WETLANDS

The subject property is not located in jurisdictional wetlands as defined in Chapter 24-3 and 24-58 of the Code; therefore, Class IV Permit for work in wetlands will not be required by DERM.

Notwithstanding the above, permits from the Army Corp of Engineers (USACOE), the State of Florida Department of Environmental Protection (FDEP) and the South Florida Water Management District (SFWMD) may be required for the proposed project. The applicant is advised to contact these agencies their permit procedures and requirements.

D. TREE PRESERVATION

Section 24-60 of the Code requires the preservation of tree resources. A Miami-Dade County tree removal permit is required prior to the removal or relocation of any trees. The applicant is advised to contact DERM staff for permitting procedures and requirements.

Concurrency Review Summary

The Department has conducted a concurrency review for this application and has determined that the same meets all applicable LOS standards as specified in the adopted CDMP for potable water supply, wastewater disposal, and flood protection. Therefore, the application has been approved for concurrency subject to the comments and conditions contained herein.

This concurrency approval does not constitute a final concurrency statement and is valid only for this initial development order as provided for in the adopted methodology for concurrency review. Additionally, this approval does not constitute any assurance that the LOS standards would be met by any subsequent development order applications concerning the subject property.

In summary, the application meets the minimum requirement of Chapter 24 of the code and therefore, it may be scheduled for public hearing; furthermore, this memorandum shall constitute DERM's written approval as required by the Code. Additionally, DERM has also evaluated the application so as to determine its general environmental impact and after reviewing the available information offers on objection to the approval of the request.

III. IMPACT ON THE ECONOMY

It is estimated that for a total of 740 multi-family rental units (320 units existing and 420 unit proposed) rented at \$700.00 per unit per month, the operating revenue and cost to Miami-Dade County and the School Board will be as follows:

	County	School Board	Combined
Total Revenues	\$3,432,250.	\$1,481,153.	\$4,913,403.
Total Costs	<u>2,810,639.</u>	1,163,902.	<u>3,974,541.</u>
Net Fiscal Impact	\$ 621,611.	\$ 317,251.	\$938,862.

The net fiscal impact of this proposal is estimated to provide a positive operating revenue to Miami-Dade County of \$621,611.00 and a net surplus of \$317,251.00 to the School Board, for a combined total for both jurisdictions of \$938,862.00.

A. POTABLE WATER SUPPLY

The subject property is located within franchised water service area of the Miami-Dade Water & Sewer Department (MDWASD). Public water exists within the property in the form of an 8-inch network. Connection of the proposed development to the public water supply system shall be required. The applicant shall connect to an existing twenty-four (24) –in. w.m. in NW 186th St. and 68th Ave. and extend a sixteen (16)-in. w.m. southeasterly along NW 68th Ave. to the SW corner of the subject property and to be interconnected to an existing eight (8)-in. w.m. in NW 68th Ave. Any w.m. extension within the property shall be twelve (12)-in. min. in diameter with two (2) points of connection and the system shall be lopped. Existing w.m. (s) within the property shall be removed and relocated if in conflict with the proposed development. In addition, twelve (12)-ft. wide exclusive WASD's easements shall be granted to the Dept. for any existing main without a recorded easement. The estimated demand for this project is 152,00 gallons per day (gpd). This figure does not include irrigation demands.

The source of water for these mains is MDWASD's Hialeah-Preston water Treatment Plant, which has adequate capacity to meet projected demands from this project. The plant is presently producing water, which meets Federal, State, and County drinking water standards.

Existing public water facilities and services meet the Level of Service (LOS) standards set forth in the Comprehensive Development master Plan (CDMP). Furthermore, the proposed development order, if approved, will not result in a reduction in the LOS standards subject to compliance with the conditions stipulated by DERM for this proposed development order.

Notwithstanding that adequate system capacity is available for this project, DERM will require that water conserving plumbing fixtures be installed in accordance with the requirements of the South Florida Building Code in order to use more efficiently the southeast Florida water resources.

It is recommended that the landscaping conform to xeriscape concepts. Included in these concepts is use of drought tolerant plants, reduced use of turf grass together with efficient irrigation system design. Details of xeriscape concepts are set forth in the "Xeriscape Plant Guide II" from the South Florida Water management District.

B. SEWER SERVICE

The subject property is located within the franchised water service area of Miami-Dade Water & Sewer Department (MDWASD). Public sanitary sewers abut the site in the form of a 12-inch gravity main located along the west side of the property. This system directs the flow to pump station 30-0406 located at 18201 NW 68th Ave., and then pump station 30-1310. The flow is then directed to the North District Treatment Plant. All mentioned pump stations are currently working within the mandated criteria set forth in the First Partial Consent Decree Connection of the proposed development on the site to the public sanitary sewer system will be required. The northern most part of the project is being served by a private system. The southern most part of the project can connect to an existing eight (8)-in. gravity sewer within the property, along a portion of its western boundary. Any sewer extension within the property shall be eight (8)-in. min. in diameter.

At the time of this review the sanitary sewer system has adequate collection, transmission and treatment capacity to accommodate the flows that the proposed project will generate. The wastewater flow is directed tot eh North District Sewage Treatment Plant.

Notwithstanding the foregoing, in light of the fact that the County's sanitary sewer system has limited sewer collection, transmission and treatment capacity, no new sewer service connections can be permitted, unless there is adequate capacity to handle the additional flows that this project would generate. Consequently, final development orders for this site may not be granted unless adequate capacity in the system is not available at the point in time when the project will be contributing sewage to the system. Lack of adequate capacity in the system may require the approval of alternative means of sewage disposal. Use of an alternative means of sewage disposal shall be an interim measure, with connection to the public sanitary sewer system required upon availability of adequate collection/transmission and treatment capacity.

Sewage treatment and disposal for the area is provided by MDWASD's regional wastewater treatment and disposal facilities. These facilities have limited available capacity; consequently, approval of development orders which will generate additional wastewater flow s are being evaluated by DERM on a case-by-case basis. Approvals are only granted if the application for any proposed development order is certified by DERM so as to be in compliance with the provisional and requirements of the settlement agreement between Miami-Dade County and the State of Florida Department of Environmental Protection, and also with the provisions of the Environmental Protection Agency Consent Decree.

Existing public water and public sanitary sewer facilities and services meet the Level of Service (LOS) standards set forth in the Comprehensive Development master Plan (CDMP). Furthermore, the proposed development order, if approved, will not result in a reduction of the LOS standards subject to compliance with the conditions required by DERM for this proposed development order.

C. POLICE

Growth in residential development within a district results in increased demands for police service. The demands for service typically vary based upon the specific demographics of the area and traffic volume. Service demands normally are evaluated once neighborhoods are established, and re-evaluated on a on-going basis utilizing the budgetary process. Historically, departmentwide manpower, in conjunction within the ability to adjust sworn assignments, has permitted extension and maintenance of the current level of police services to newly established developments of any size.

A careful review of the petition shows that the predicted impact on MDPD resources will be significant, based upon the increase in residential dwelling units. This development will also increase traffic volume. As the project is phased in over the buildout period, additional sworn personnel resources may be required to maintain the current level of service to the area. These resources would be requested through the annual budgetary process.

Regarding actual construction when development occurs, the following applicable quidelines are provided to address public safety issues:

- 1. The development should comply with requirements of the Code of Miami-Dade County, with special attention given to the following:
 - a. Section 21-276, Burglar Alarms.
 - b. Section 28-15(g), Required improvements.
 - c. Section 33-139, Names and numbers to comply with article; authority of the Department of Planning and Zoning.
 - d. Section 33-147, Numbering buildings.
 - e. Section 33-149, duty of owners of buildings.
- 2. Effective January 1, 2001, all burglar alarm systems shall require an annual registration with MDPD by the <u>user</u>. This includes all systems even if they are not monitored by an alarm monitoring company. Locations that have more than one alarm system require separate registration for each system. Information brochures are available at MDPD district stations.
- 3. Each building should have address numbers conspicuously mounted, which are not less than three inches in height and easily observable from the roadway. Buildings that back on to an alleyway should also have address numbers on the rear of the buildings.
- 4. A lighted directory should be erected near each point of entry and at other appropriate locations within the development for rapid location of buildings by responding emergency vehicles.

- 5. Shrubbery and landscaping at all driveways and intersections should be sufficiently set back to permit vehicle operators an unobstructed view of other traffic and pedestrians.
- 6. Landscaping and lighting should be maintained so that address numbers are never allowed to become obscured.
- 7. Adequate lighting, closed circuit television, and security officers in vehicle parking areas can discourage criminal activity.
- 8. Stairwells should have access controlled to restrict movements of persons contemplating criminal activity.
- 9. Any unmanned, card accessible, security entrance gate should have a coded lock-box feature for emergency access by police and fire-rescue vehicles.
- 10. Designation of areas within the development to be kept free of parked motor vehicles in order to facilitate access to buildings by emergency vehicles (free lanes) is accomplished by application of the owner or lessor of the development pursuant to Miami-Dade County Ordinance 30-388, Creation of Emergency Vehicle Zones. Only those developments with zones so designated are authorized to have police enforcement.
- 11. The U.S. Department of Housing and Urban Development recommends five to ten foot-candles of light for heavily used spaces; e.g.; paths, entries, and parking areas. Outdoor lighting can be one of the most effective deterrents against crime. Properly used, it discourages criminal activity and reduces fear.

Additional Comments:

Police services are currently provided by our Miami Lakes Station (Police District 1 located at 5975 Miami Lakes Drive East. During the month of June 2003, based upon a districtwide statistical analysis, the average emergency response time was 4.5 minutes (includes dispatch and travel time). Stations personnel answered 3,664 calls for police service and operated with 148 sworn officers, to deliver police service to a district boundary area of 244.2 square miles and a routine patrol area of 56.2 square miles, with a total population of 83,580.

D. FIRE

Service Impact/Demand

- 1. Based on development information, this project is expected to generate approximately 111 fire and rescue calls annually.
- 2. A suspected fire within this project would be designated as a building dispatch assignment. Such as assignment requires 3 suppressions or engines, telesqurts or tankers, 1 aerial, 1 rescue and an accompanying command vehicle(s). This assignment requires 20 firefighters and officers.
- 3. The desired response time is such a project is 4-5 minutes for the first-in unit.

- 4. Required fire flow for this project is 1,500 gpm with hydrant spacing no further than every 300 feet. Proper main extensions can be provided by WASAD. Generally, for this type of development 12-14 inch mains are required.
- 5. Fire Rescue Department's Water and Engineering Bureau, 11805 SW 26th Street, (786) 315-2771 makes final determination regarding exact size and looping of water mains, and the number and placement of hydrants.
- 6. Fire Rescue impact fees fund primary and supportive facility and equipment needs generated by additional impact. The project's proportionate share of impact fees will be assessed at time of building permit.

Existing Services

1. The stations responding to a fire alarm will be:

Station	Address	Equipment	Staff	Response <u>Time</u>
51	4775 NW 199 th St., Honey Hill	Rescue, Battalion	4	4-5 min.
44	7700 NW 186 th St., Palm Springs North	Advanced Life Support Engine	4	5-6 min.
1	16699 NW 67 th Ave. Miami Lakes	Rescue, Engine	7	5-6 min.
11	18705 NW 27 th Ave. Carol City	Rescue, Squrt	8	8-10 min.
54	15250 NW 27 th Ave. Bunch Park	Rescue	3	12-14 min.
38	575 NW 199 th St. Golden Glades	Rescue, Squrt	8	16-18 min.

^{*} Lack of adequate roadway network may increase response time.

2.

<u>Unit</u>	Potential Unavailability During Peak Hours
Rescue 51	29.08%
Rescue 01	26.18%
Rescue 11	24.38%
Rescue 54	25.62%
Rescue 38	25.11%

3. Increased response time may result because of congestion on the following roadways:

NW 186th Street

Planned Service Expansions

The following stations are planned I the vicinity of this project:

<u>Station</u>	Address/Vicinity	Est. Completion <u>Date</u>	Response <u>Time</u>	Cost
Miami Lakes North "O"	NW 170 th St. & 97 th Ave.	2009	6-8 min.	2.0 million
Miami Lakes West "64"	NW 154 th St. & 87 th Ave.	2007	8-10 min.	2.0 million

Funding source is primarily: fire rescue impact fees.

Site Requirements

The attached site requirements pertain to the site plan submitted as part of this review. All site plans and gates (including future submissions and changes) must be reviewed and approved by the Fire Rescue Department's Water and Engineering Bureau, at 11805 NW 26th Street, (786) 315-2117, **prior** to Executive Council Hearing. (See attachment).

- 1. Compliance with Ordinance 83-23 giving Police jurisdiction to issue citations for parking along frontage of all commercial development.
- 2. Emergency vehicle parking area is to be located in close proximity to the main entrances. Said area to be identified, per S.F.F.P.C.
- Fire Department vehicle access is to be provided to as many sides of the structure as practical or as necessitated by the design of the structure and location of internal fire protection connector.
- 4. Fire access lanes must be capable of supporting 32 tons surfaced with solid pavement, natural or concrete stones or with grass turf reinforced by concrete grids or stabilized subgrade construction, which meet the standards of the Miami-Dade County Public Works Department. Such construction must be certified by a registered professional engineer of the State of Florida. Access lanes are to be minimum of 20 feet wide with a vertical clearance of 13 feet 6 inches. Landscaping along these lanes must be approved and conform to landscaping plans. (Florida Fire Prevention Code).
- 5. Curb cuts for fire access lanes marked "Fire Lanes" in such a manner as to be easily visible from the road and clearly delineated with informational signs of not less than two square feet each parcel. Parking on fire access lanes is to be prohibited.
- 6. A turnabout for fire apparatus shall have a minimum centerline radius of 50 feet. (T or Y turnaround acceptable to the AHJ shall be permitted). (Florida Prevention Code).

> 7. All slopes in the project must be able to accommodate our largest aerial truck. This truck has the dimensions and angle requirements shown below:

Overall length:

46 feet, 10 inches

Bumper-to-bumper length

32 feet

Wheelbase length: Angle of approach: 256 inches.

Brake-over angle:

11 degrees maximum 7 degrees maximum

Angle of departure:

8 degrees maximum

- 8. Aerial apparatus set-up sites at the corner of each building over three stories and at the center of buildings in excess of 125 feet in length.
- 9. Site-up sites no closer than 10 feet or further than 30 feet from any building and at least 21 feet wide and 36 feet long with a cross slope of less than 5 percent. Construction the set-up sites will consist of a stabilized subgrade, which meets the standards of the Miami-Dade County Public Works Department, and Grass Pavers" or an equally acceptable product as determined by the authority having jurisdiction. Setup sites must be capable of withstanding any point forces resulting from out riggers.
- 10. Maintenance of fire lanes provided by the owner.
- 11. Fire sprinkler system in accordance with S.F.B.C., South Florida Fire Prevention Code and adapted NFPA Codes.
 - All fire main installation beyond backflow preventor detector check valve are to a. be done by a State certified Fire Protection Contractor.
 - "P.I.V." and "F.D.C." shall be located not less than 40 ft. from building. "Backflow b. Preventor" shall be located upstream from "P.I.V."
 - "F.D.C." must be placed within 150 feet from a fire hydrant.
- 12. An identification system located at each entrance of the complex consisting of a framed lighted map of the development showing all structures and streets at adequate scale.
- 13. Lighted signs for identification on all structures within the development. Sign letters and numbers shall be 6" on front of building and 4" on the rear.
- 14. Limited dead ends to 150 feet and locate :Dead End" signs at the entrance of each area. In a fully sprinklered building, dead ends may 250'. (Florida Fire Prevention Code).
- 15. Minimum 15' gate width. Cannot be within turning radius.
- 16. Gated entrances to provide elevator lock box containing switch or level to activate gate for fire department use.

17. Fire hydrants and fire protection appliances-clearances of seven and one-half feet in from of and to the sides and four feet to the rear shall be maintained. (Florida Fire Prevention Code).

Additional Comments

- 1. Building height should be limited to 5 stories due to lack of aerial units.
- 2. 400' dead-end may have to be addressed.

E. PARKS

Identify Impact and Demand

The 440 dwelling units will produce a population of 761 people, according to current population estimates prepared by the Research Division of the Planning and Zoning Department. This population generates a need for 1.21 acres of local parkland, based on the CDMP Open Space Standards of 2.75 acres per 1,000 population.

Existing Service

The nearest community park is County Village Park, 17 acres in size, located at 6550 NW 188th Terrace. The nearest neighborhood park is Monterrey Park, 5.24 acres in size, located at NW 183rd Street and NW 53rd Avenue. The nearest district park is Amelia Earhart Park, 515.00 acres in size, located at 11900 NW 42nd Avenue, approximately 5 miles from this application.

Facility

Country Village Park is undergoing development. Its plan includes 2 lighted soccer fields, 2 lighted basketball courts, recreation center, open play areas, picnic shelters, tot lot, parking lot and walkways. Monterrey Park is not yet developed at this time. Plans are being made for its development. Amelia Earhart Park is undergoing additional development. Currently it contains a skate park area, a dog park area, open play areas, picnic shelters, lakes, special event area, farm village area, and a beach side swimming area.

Manpower

Country Village Park is not manned at this time, but, as development proceeds and the recreation center is compete, staff will be added. Monterrey Park is not manned; a roving crew maintains it. Amelia Earhart Park has two recreation specialists, two recreation leaders, one account clerk, one landscape foreman, five park attendants, five park service aides, one automotive equipment operator, three security guards, and six additional part-time employees.

Concurrency/Capacity Status

This application is located in Park benefit District 1, which has a surplus of 604.14 acres of local parkland. Therefore, there is an adequate level of service for this application.

Site Plan Critique & quality of Life Issues

The site plan shows a pool and deck area. I recommend additional facilities be considered for this area, such as a basketball court, volleyball court, or a tot lot playground. Additional facilities to be considered are gazebos and picnic shelters, located in the larger open spaces in the site plan. And a walking path between the building groups in the center section of the development would benefit the community.

F. SCHOOLS

Comments from Miami Dade County Public Schools are provided in attached Exhibit "A"

G. SOLID WASTE MANAGEMENT

The County Solid Waste Management System consists of both County facilities and a private facility under contract as follows: two Class I landfills (one owned by Waste Management Inc., of Florida) Class III landfill, a Resources Recovery Facility and associated ash monofill, and three regional transfer facilities. The Department of Solid Waste Management (DSWM) does not assess or adjust estimated capacity requirements based on the impacts of individual developments. Instead, the Department maintained sufficient disposal capacity to accommodate five years of waste flows committed to the system through long-term interlocal agreements or contracts with municipalities and private waste haulers and anticipated non-committed waste flows. The latest concurrency Status Determination issued on September 22, 2000, which is valid for three (3) years, shows sufficient disposal system capacity to meet and exceed the County's adopted level of service (five years of committed capacity). This determination, which is on file with the Department of Planning and Zoning is contingent upon the continued ability of the County to obtain and renew disposal facility operating permits from the Florida Department of Environmental Protection, as needed.

This project proposes a multi-family development of 760 units. Chapter 15 of the Miami Dade County Code entitled Solid Waste Management requires the following of commercial and multi-family developments located in unincorporated Miami Dade County:

Section 15-2 – "every commercial and multi-family residential establishment shall utilize the solid waste collection services of either the proper governmental agency able to provide such services, or that of a licensed solid waste hauler authorized to perform such services by the Director of the Department."

Section 15-2.3 – As it relates to the multi-family uses, Section15-2.2 requires that "every multi-family residential establishment shall provide for a recycling program which shall be serviced by a permitted hauler or the appropriate governmental agency and shall include, at a minimum, the five (5) materials listed in Section 15-2.2 below.

Recyclable Materials: Multi-family

- (1) Newspaper
- (2) Glass (flint, emerald, amber)
- (3) Aluminum cans

Applicants are **strongly** advised to incorporate adequate space and facilities in their building plans to accommodate the required recycling program. Requests for approval of modified recycling program must be made directly to the Department at 305-594-1567.

Section 15-4 – requires that plans for storage and collection of solid waste be adequate before a building permit may be issued. Site plans must address location, accessibility, number and adequacy of solid waste collection and storage facilities. The site plan legend must contain the following statement: "Facilities for the collection and storage of solid waste are shown in accordance with Section 15-4 of the Miami Dade County Code.

It is required that development associated with this project ensure that either of the following criteria be present in project design plans and circulation operations to minimize the revising of waste vehicles and hence, provide for the safe circulation of service vehicles:

- a. cul-de-sac with a minimum 49 foot turning radius (no "dead-ends).
- b. "T" shaped turnaround 60 feet long by 10 feet wide.
- c. Paved throughway of adequate width (minimum 15 feet).

In addition any and all alleyways designed with utilities, including waste collection, provided at the rear of the property should be planned in accord with standard street specifications with sufficient width and turning radii to permit large vehicles to access the alleyways. Additionally there should be no "dead-end" alleyways developed. Finally we are requesting that a sufficient waste set-out zone be preserved (between the edge of the pavement and any possible obstructions such as parked cars, fencing, etc.) that would interrupt or preclude waste collection.

V. IMPACT ON TRANSPORTATION FACILITIES AND ACCESSIBILITY

A. ANTICIPATED TRAFFIC GENERATION AND CONCURRENCY

Trip Generation
 255 PM Peak Hour trip ends

2. Cardinal Distribution

North/North West 14.1 % North/North East 23.1 % South 62.8 % West 0 %

B. EXISTING ROADWAYS SERVICEABLE TO THIS APPLICATION

Location: NW 68 Ave. NW 186 St. NW 67 Ave.
 Description: Arterial Ar

C. IMPACT ON EXISTING ROADWAYS

Station 2518 located on NW 186th Street e/o of I-75 has a maximum capacity of LOS "E", of 2580 vehicles during the PM Peak Hour. It has a current Peak Hour Period (PHP) of 2254 vehicles and 148 vehicles have been assigned to this section of road from previously approved Development Orders. Station 2518 with its 2402 PHP and assigned vehicles for

is at LOS "C". The 36 vehicles generated by this development when combined with the 2402 assigned equals 2438 and LOS "C" where the range of LOS "C" is from 2271 to 2540 vehicles.

Station 2517 located on NW 186th Street w/o 67th Avenue has a maximum capacity of LOS "E" of 5140 vehicles during the PM Peak Hour. It has a current Peak Hour Period (PHP) of 2579 vehicles and 2215 vehicles have been assigned to this section of road from previously approved Development Orders. Station 2517 with its 4794 PHP and assigned vehicles is at LOS "D". The 126 vehicles generated by this development when combined with the 4794 equals 4920 and LOS "D" where the range of LOS "D" is from 4771 to 5120 vehicles.

Station 9230 on NW 67th Avenue s/o SR 826 has a maximum capacity of LOS "E" of 6800 vehicles during the PM Peak Hour. It has a current Peak Hour Period (PHP) of 3951 vehicles and 1713 vehicles have been assigned to this section of road from previously approved Development Orders. Station 9230 with its 3951 PHP and assigned vehicles is at LOS "D". The 160 vehicles generated by this development when combined with the 5664 equals 5824 and LOS "E" where the range of LOS "E" is from 5481 to 6800 vehicles.

D. SITE PLAN CRITIQUE

Site Plan is acceptable subject to the following modifications:

- The land may be required to be platted
- Additional Site Plan, and Traffic circulation within the project will be reviewed during the Platting or Permitting process if.
- A right turn lane, minimum of 125 feet in length, shall be constructed south of the proposed entrance along NW 68th Avenue.
- Entrance into the recreation and gymnasium area shall have a minimum of 25 feet of stacking distance if controlled gate is provided.
- Public access must be provided that satisfies the needs for both traffic circulation and Fire Rescue vehicles.
- A Public Works permit is required for construction in the public right of way.
- Sidewalks must continue across private drives.
- All landscaping, walls, fences, Entrance Features, etc. will be subject to the safe sight distance triangle as per Section 33-11 of the Miami-Dade County Code and G5.3 of the Public Works Manual.
- A property owners association will be required for the maintenance of private drives, common areas, lakes, landscaping and walls/fences.
- Entrance features are not reviewed or approved as part of this application.
- Contribution for traffic signals may be required.

This application **does meet** the criteria for traffic concurrency for an Initial Development Order. No vehicle trips have been reserved by this application. It will be subject to the payment of road Impact Fees.

F. MASS TRANSIT

The application is requesting a district boundary change in order to develop a portion of the subject property with 440 units, multi-family apartment complex. Additionally, the applicant is requesting a modification of a previously approved resolution in order to submit revised development plans for the entire subject site consisting of a total of 760 multi-family units (420 units currently existing).

The property is located at 18255 – 18345 NW 68th Ave. and 6790 NW 186th Street. The property consists of approximately 19.31 acres

The applicant is requesting a district boundary change from BU-1A, Limited Business District, to RU-4, High Density Apartment House District

The area is currently served by the following Metrobus routes and frequencies (in minutes):

Route	Peak	Non-Peak	Night	Sat	Sun
83	20	30	60	30	30
91	30	60	n/a	60	60

The 2003 Transportation Improvement Program (TIP) proposed under Primary State Highways and Intermodal Project Detail, the resurfacing of Miami Gardens Drive From I-75 to NW 68 Avenue and from NW 68th Ave. to NW 57th Ave.

The 2025 Long Range Transportation Plan (LRTP) proposes under Priority IV-Unfunded Projects, Miami Gardens Drive from I-75 to NW 57th Ave. widen from 4 to 6 lanes.

The 2002 Transit Development Plan (TDP) SHOWS IN THE 2007 Recommended Service Plan the following improvements:

Rt. 83 – Improve peak period headways from 20 to 15 minutes.

Rt. 91 – Improve daily headways from 60 to 30 minutes. Re-structure route to service the future Northeast Terminal.

Rt. 83 – Improve peak headways from 20 to 15 minutes. All night service every 60 minutes, seven days a week.

Rt. 91 – Improve off-peak headways from 60 to 30 minutes. By the year 20-05, improve peak headways from 30 to 15 minutes. Re-structure route to serve the future Northeast Bus Terminal.

Based on the information presented, OPTM/MDT have no objection to this project.

This project has been reviewed by OPTM for Mass transit concurrency and was found to be concurrent with the level-of-service standards established for Miami Dade County.

G. <u>AVIATION</u>

The Miami-Dade Aviation Department (MDAD) has reviewed a zoning hearing request for a district boundary change from BU-1A, Limited business District, to RU-4, High Density Apartments Housing District in order to develop a portion of the subject property with a 440 unit, multi-family apartment complex. Additionally, the applicant is requesting a modification of a previously approved resolution in order to submit revised development plans for the entire subject site consisting of a total of 760 mufti-family units (230 units currently existing). The subject property consists of approximately 19,312 acres and is located at 18255-18345 NW 68th Avenue and 6700 NW 186th Street. MDAD has

determined that the reference property is clear of any restrictive zones as depicted in the proposed Zoning Ordinance for Opa-Locka Airport (OPF), would be compatible with airport operations. In addition, MDAD's Development Division has reviewed the proposed 10-story structure (approximately 105 feet Above Mean Sea Level) and determined that the proposed facility, located in the Conical District of OPF, does not exceed the obstruction standards established by the Miami-Dade County Height Zoning Ordinance for OPF.

DATE TYPED:

10/31/03

DATE REVISED:

11/5/03, 12/15/03, 01/30/04, 02/19/04, 04/26/04

DATE FINALIZED:

04/26/04

Conditions

- 1. That a site plan be submitted to and meet with the approval of the Director upon the submittal of an application for a building permit and/or Certificate of Use and Occupancy; said plan to include among other things but not be limited thereto, location of structure or structures, types, sizes and location of signs, light standards, off-street parking areas, exits and entrances, drainage, walls, fences, landscaping, etc.
- 2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Country Club Towers Second Phase II", as prepared by Salvador Cruxent, Architect, dated revised 1-08-04, except as herein modified to provide the required number of lot trees, street trees and shrubs, to reduce the number of units on the North Parcel to 400 for a combined total of 736 units, and to relocate the clubhouse to the west closer to the pool and deck area.
- 3. That the use be established and maintained in accordance with the approved plan.
- 4. That the applicant submit to the Department for its review and approval a landscaping plan that indicates the type and size of plant material prior to the issuance of a building permit and to be installed prior to the issuance of a Certificate of Use.
- 5. That the applicant obtain a Certificate of Use from the Department, upon compliance with all terms and conditions, the same subject to cancellation upon violation of any of the conditions.
- 6. That the applicant comply with all applicable conditions and requirements of the Department of Environmental Resources Management (DERM).
- 7. That the applicant comply with all applicable conditions and requirements of the Public Works Department.
- 8. That all the conditions of Resolution # 4-ZAB-98-85 remain in full force and effect except as modified herein.
- 9. That the drive from N.W. 68th avenue leading to the recreational/gymnasium/office be closed and removed within 18 months of the issuance of a Certificate of Use for the 736th units, and that the parking area be relocated to the west of the clubhouse.

Jose Milton, Tr. Z03-123 Page 36

EXHIBIT 'A'

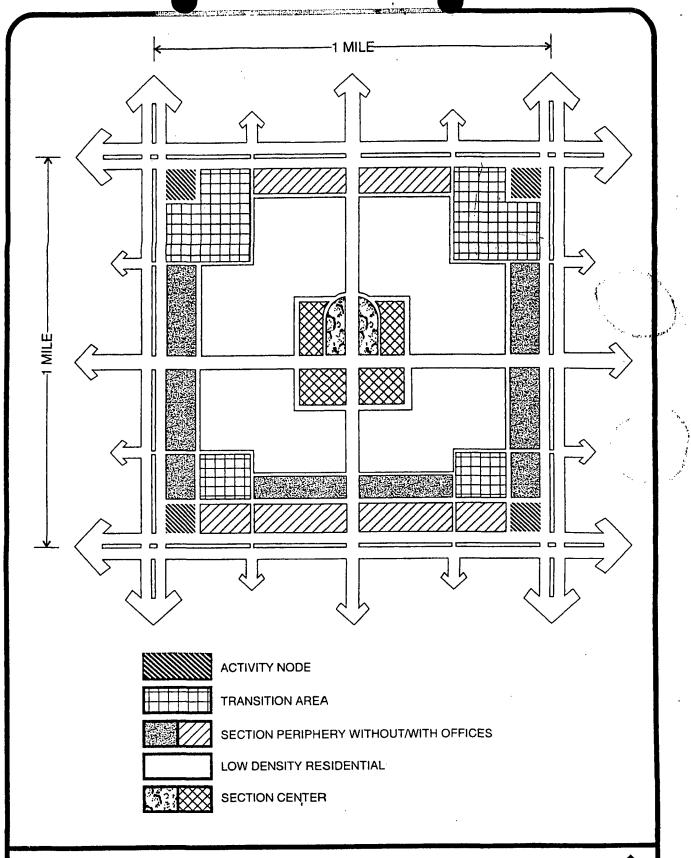


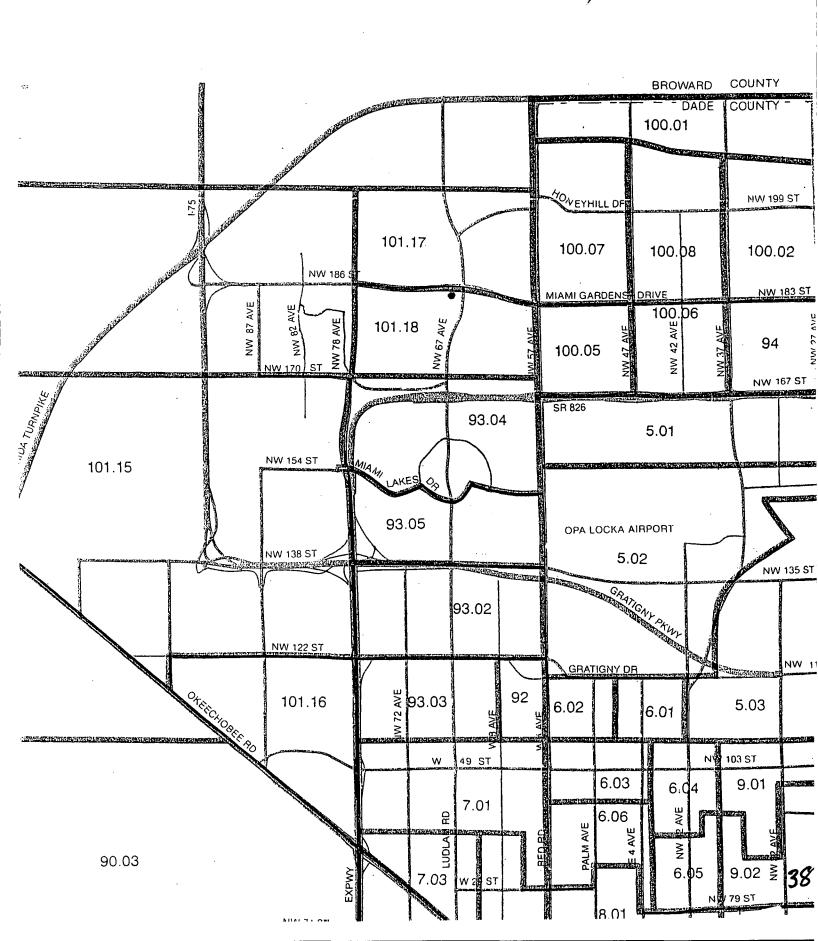
Figure 1
GENERALIZED NEIGHBORHOOD
DEVELOPMENT PATTERN

S C A L E T N 660 1,320 N DEPARTMENT OF PLANNING, DEVELOPMENT AND REGULATION

EXHIBIT B

1990 Carsus Tracts

MIAMI-DAGE COUNTY





Mamip Dade Goviniy Public Schools

giving our students the world

Ana Rijo-Conde, Interim Assistant Superintendent

Facilities Operations, Maintenance and Planning

January 7, 2004

Miami-Dade County School Board

Dr. Michael M. Krop, Chair Dr. Robert B. Ingram. Vice Chair Agustin J. Barrera Frank J. Bolaños Frank J. Cobo Perla Tabares Hantman Betsy H. Kaplan Dr. Marta Pérez Dr. Solomon C. Stinson

> Superintendent of Schools Merrett R. Stierheim

Ms. Maria Teresa-Fojo, Division Chief Miami-Dade County Department of Planning and Zoning Zoning Evaluation Section 111 NW 1 Street, Suite 1110 Miami, Florida 33128

Re:

Jose Milton Trust - Application No. 03-123 (CC05)

18255 NW 68 Avenue

Revised

Dear Ms. Fojo:

Pursuant: to the state-mandated and School Board approved Interlocal Agreement, local government, the development community and the School Board are to collaborate on the options to address the impact of proposed residential development on public schools where the proposed development would result in an increase in the schools' FISH % utilization (permanent and relocatable), in excess of 115%. This figure is to be considered only as a review threshold and shall not be construed to obligate the governing agency to deny a development.

Attached please find the School District's (District) review analysis of potential impact generated by the above referenced application. Please note that all of the school facilities meet the referenced review threshold. The proposed residential development will impact Palm Springs North Elementary School, Lawton Chiles Middle School and American Senior High School currently operating at 125%, 124% and 146% of FISH % utilization, respectively. However, utilizing the County's Census 2000 figures, the proposed residential development will increase the FISH % utilization of Palm Springs North Elementary School, Lawton Chiles Middle School and American Senior High School to 132%, 127% and 149%, respectively (please see attached analysis).

Pursuant to the Interlocal, the District met with the applicant's legal counsel on numerous occassions, to discuss the impact of the proposed development on public schools. The District is grateful that the applicant took the time to meet with the District to discuss possible options that may accommodate new students generated by the proposed application. As such, the applicant has voluntarily proffered a covenant to the School Board in order to provide a monetary donation, over and above impact fees. Please be advised that such a proffer by the applicant is subject to School Board approval at an upcoming meeting.

Please note the attached analysis depicts the relief schools planned in the area, which includes the recently approved Facilities Five Year Work Program.

Ms. Maria Teresa-Fojo January 7, 2004 Page Two

Also, attached is a list of approved Charter School Facilities countywide, which may provide relief to the area of impact, as well as a report depicting previously approved applications in the area.

Additionally, pursuant to Miami-Dade County's Educational Facilities Impact Fee Ordinance the proposed development, if approved, will be required to pay educational facilities impact fees (impact fees) based on the following formula:

New residential unit square footage X.90 (Square Footage Fee) + \$600.00 (Base Fee) + 2% administrative fee = Educational Facilities Impact fee

It is our understanding that the additional 352-unit development is estimated to generate approximately \$303,316 in impact fees. This figure may vary since the impact fees assessed are based on the actual square footage of each dwelling unit.

In accordance with the Agreement, this letter and attached information should not be construed as commentary on the merits of the pending zoning application. Rather it is an attempt to provide relevant information to the Community Council on public schools that will likely serve the proposed development and meet the referenced threshold.

As always, thank you for your consideration and continued partnership in our mutual goal to enhance the quality of life for the residents of our community.

Sincerely,

Patricia Good Coordinator III

PG:am L-2016 Attachment

cc:

Ms. Ana Rijo-Conde

Mr. Fernando Albuerne

Mr. Michael A. Levine

Mr. Ivan M. Rodriguez

Ms. Vivian Villaamil

Mr. Stanley Price

REVISED SCHOOL IMPACT REVIEW ANALYSIS

APPLICATION:

No. 03-123, Jose Milton Trust (CC05)

REQUEST:

Special Exception to allow residential in a BU-1A zone

ACRES:

19.312 acres

LOCATION:

18255 N.W. 68 Avenue

NUMBER OF

UNITS:

352 additional units (408 units currently permitted on existing zoning

classification, for a total of 760 units)

ESTIMATED STUDENT

POPULATION:

194 students**

ELEMENTARY:

89

MIDDLE:

49

SENIOR:

56

SCHOOLS SERVING AREA OF APPLICATION:

ELEMENTARY:

Palm Springs North Elementary - 17615 N.W. 82 Ave.*

MIDDLE:

Lawton Chiles Middle - 8190 N.W. 197 St.

SENIOR HIGH:

American Senior - 18350 N.W. 67 Ave.

^{*} School is capped; students are attending Lake Stevens Elementary.

^{**} Based on Census 2000 information provided by the Miami-Dade County Department of Planning and Zoning.

The following population and facility capacity data are as reported by the Office of Information Technology, as of opening of schools, August 2003:

	STUDENT POPULATION	FISH DESIGN CAPACITY PERMANENT	% UTILIZATION FISH DESIGN CAPACITY PERMANENT	NUMBER OF PORTABLE STUDENT STATIONS	% UTILIZATION FISH DESIGN CAPACITY PERMANENT AND RELOCATABLE
Palm Springs N Elem. Includes PLC "X"	1676/ 1765*	894	161%/ 197%*	446	125%/ 132%*
Lawton Chiles Middle	1986/ 2035*	1173	169%/ 173%*	429	124%/ 127%*
American Sr.	2960/ 3016*	1950	146%/ 155%*	77	146%/ 149%*

^{*}includes proposed development

ADDITIONAL SCHOOL INFORMATION: The following information was provided by school site personnel or other data sources in October 2002:

Palm Springs North Elementary:

Acces	s to computers:	

In each classroom, in special computer labs and in Media

Center

Capital Improvements in the past school year:

None

Recognition for Academic Achievement:

None

Special Programs:

After-school care and Community

and Enrichment classes

Lunch schedule:

Begins at 10:00 a.m.

Non-instructional space utilized for instructional purposes:

Cafeteria

Teachers required to float/travel:

Spanish, ESOL, Art and

Music

Lawton Chiles Middle:

Access to computers:

In each classroom, special computer labs and media center

Capital Improvements in the past school year: Classrooms and Portables added

Recognition for Academic Achievement: None

Special Programs: Vocational and Enrichment

Classes

Lunch schedule: Begins at 11:00 a.m.

Non-instructional space utilized for instructional purposes:

None

mondonar purposso.

Teachers required to float/travel: None

American Senior:

Access to computers: In special computer labs and

Media Center

Capital Improvements in the past school year: Classrooms

Recognition for Academic Achievement: None

Special Programs: Vocational, Enrichment and

Community classes

Lunch schedule: Begins at 10:40 a.m.

Non-instructional space utilized for instructional purposes: Cafeteria

Teachers required to float/travel: English, Science, Foreign

Language, ESE, Health, Social

Studies and Driver's Ed.

PLANNED RELIEF SCHOOLS IN THE AREA (information as of October 2003):

School State School "NN1" Design Summer/2006

(Lawton Chiles Middle)
(1506 student stations)

State School "TT" Under Construction Spring/2005
(a new middle learning center, with a permanent capacity of 483 student stations)

Pre-Planning

State School "JJJ" (Barbara Goleman, Hialeah-Miami Lakes and American Sr.) (2850 student stations)

OPERATING COSTS: According to Financial Affairs, the average cost for K-12 grade students amounts to \$5,833 per student. The total annual operating cost for additional

Summer/2007

CAPITAL COSTS: Based on the State's October-2003 student station cost factors*, capital costs for the estimated additional students to be generated by the proposed development are:

ELEMENTARY 89 x \$ 13,294 = \$1,183,166 MIDDLE 49 x \$ 15,242 = \$ 746,858 SENIOR 56 x \$ 20,169 = \$1,129,464

students residing in this development, if approved, would total \$1,131,602.

Total Potential Capital Cost \$3,059,488

Based on Information provided by the Florida Department of Education, Office of Educational Facilities Budgeting. Cost per student station does not include land cost.



ZONING REPORT



(APPLICATIONS REVIEWED SINCE JANUARY 2001) CC5

	Applicant:Name & Number		Units/Students	Schools	Board District(s)/ Region(s)	Community Council/ Date	Approved/ Denled/ Comments
1	LUIS AND MARGARITA AGUDO, ET AL #01-010	Btwn NW 77 Ave. and NW 79 Ave. and Btwn NW 197 St. and NW 202 St.	152 Units/ 74 Students	WYCHE ELEM-40 LAWTON CHILES MID-18 AMERICAN SR-16	1/1 4/1 4/1	CC05 10/18/01	APPROVED 2-Acre site contrib. In-lieu of fees
2	IGLESIA BAUTISTA NUEVO AMANECER, INC., LLC #03-157	E of NW 89 Ave. and S of NW 174 St.	17 Units/ 9 Students	PALM SPRINGS N ELEM-4 LAWTON CHILES MID-2 AMERICAN SR-3	4/1 4/1 4/1	CC05 Def12/11/03	PENDING
3	CHRISTOPHER BRANDON CORP. #01-315	SWC of NW 178 St. and NW 89 Ave.	34 Units/ 17 Students	PALM SPRINGS N ELEM-9 LAWTON CHILES MID-4 AMERICAN SR-4	4/1 4/1 4/1	CC05 12/12/01	APPROVED
	IGLESIA BAUTISTA NUEVO AMANECER, INC., LLC #02-278	E of NW 89 Ave. and N of NW 170 St.	23 Units/ 13 Students	B. GRAHAM ED CNT-7 MIAMI LAKES MID-3 B. GOLEMAN SR-3	4/1 4/1 4/1	CC05 3/20/03	DENIED
4	GENET FAMILY LTD. PARTNERSHIP NO. 1 & 2 #02-255	South of NW 186 St. and W of NW 87 Ave.	73 Units/ 40 Students	PALM SPRINGS N ELEM-22 LAWTON CHILES MID-9 AMERICAN SR-9	4/1 4/1 4/1	CC05 5/15/03	APPROVED
5	AUSTIN HOMES, INC. #00-300	NW 87 Ave. and NW 170 St.	17 Units/ 8 Students	PALM SPRINGS N ELEM-4 MIAMI LAKES MID-2 B. GOLEMAN SR-2	4/1 4/1 4/1	CC05 6/28/01	APPROVED
	CENTURY PRESTIGE #02-078	North of NW 178 St. btwn NW 87 Ave. and I-75	333 Units/ 163 Students	PALM SPRINGS N ELEM-88 LAWTON CHILES MID-39 AMERICAN SR-36	4/1 4/1 4/1	CC05 7/29/2002	APPROVED
_	PETRVS HOLDINGS, INC., ET AL (CORUM) #01-259	E of NW 97 Ave. and S of NW 146 St. and W of I-75	303 Students	PALM SPRINGS N ELEM-164 MIAMI LAKES MID-73 B. GOLEMAN SR-66	4/1 4/1 4/1	CC05 9/26/02	WITHDRAWN
	SHOMA HOMES AT BELLAGIO #03-076	S of NW 186 St. & W of NW 87 Ave.	361 Students	B. GRAHAM ED CNT-166 MIAMI LAKES MID-90 B. GOLEMAN SR-105	4/1 4/1 4/1	CC05 Def. Indef.	PENDING
	BBE DEVELOPMENT CORP. #03-138	E of NW 97 Ave. & N of NW 182 St.	31 Students	WYCHE ELEM-14 LAWTON CHILES MID-8 AMERICAN SR-9	1/1 4/1 4/1	CC05 Def12/11/03	PENDING
	GEFEN, INC. #03-139	E of NW 97 Ave. & S of NW 186 St.	21 Students	WYCHE ELEM-10 LAWTON CHILES MID-5 AMERICAN SR-6	1/1 4/1 4/1	CC05 Def12/11/03	PENDING
44	MIAMI GARDENS PARK, LTD., ET AL #02-239	NWC of NW 59 Ave. and NW 177 St.	348 Students	GOOD ELEM-160 LAKES STEVENS MID-87 AMERICAN SR-101	4/1 4/1 4/1	CC05 DIC	PENDING
40	ROYAL GARDENS INVESTMENTS, LLC #02-190	E of NW 97 Ave. and N of NW 162 St.	519 Students	PALM SPRINGS N ELEM-239 MIAMI LAKES MID-130 B. GOLEMAN SR-150	4/1 4/1 4/1	CC05 DIC	PENDING
	TREASURE COVE, INC. #02-190	East of NW 97 Ave., North of NW 170 St. and West of I-75	173 Students	WYCHE ELEM-93 LAWTON CHILES MID-42 AMERICAN SR-38	1/1 4/1 4/1	CC05 DIC	PENDING

Note: There are seven applications that are pending which would generate 1462 students.



(APPLICATIONS REVIEWED SINCE JANUARY 2001) CC5

SCHOOLS	STUDENT POPULATION	NUMBER OF STUDENTS PER PROJECT APPROVED	CUMULATIVE TOTAL STUDENT POPULATION	STUDENT STATIONS PERMANENT	RELOCATABL E STATIONS	CUMULATIVE CUTILIZATION INCLUDING RELOCATABL E
PALM SPRINGS N ELEM	1676	123	1799	894	446	134%
WYCHE ELEM	1174	40	1214	904	0	134%
ELEMENTARYTOTALS	2850	163	3013	1798	446	134%
LAWTON CHILES MID	1986	70	2056	1173	429	128%
MIAMI LAKES MID	1592	2	1594	1158	211	116%
MIDDLE TOTALS	3578	72	3650	2331	640.	123%
AMERICAN SR	2960	65	3025	1950	77	149%
BARBARA GOLEMAN SR	4463	2	4465	2906	563	129%
SENIOR HIGH TOTALS	7423	67	7490	4856	640	136%

TOTAL

13851

302

14153

8985

1726

132%

CHARTER SCHOOLS 2002-2003

REV. 6-12-03

Maij			2002-2003					REV. 6-12
Code	Name and Address Of Charter School	Actual Enrollment	Pro	Projected Enrollment			ACCESS	1/245
	1	(10-04-02)	2003-2004	2004-2005	Maximum	Grade Levels*	Center	Voting Distric
7160	Mater Academy High School 7901 NW 103 St.		-					
·	Hialeah Gardens, FL 33016	80	750	1,000	1,000	9-10		
0100	Mater Center Charter School 7700 NW 98 St.						1	4
0.00	Hialeah Gardens, FL 33016	1,099	1,000	1,050	4.450	10.4		
	North County Charter School		•	1,000	1,150	K-8	1	4
0110	1 3400 NW 135 St.	293	222					
	Miami, FL 33054	293	600	600	600	K-5		1
5130	North Dade Community Charter School 13850 NW 26 Ave.		·					
	Opa-Locka, FL 33054	63	575	600	600	K-5	,	
5710	Sandor Wiener School of Opportunity							1
97 10	20000 NW 47 Ct. Opa-Locka, FL 33055	6	32	34				
	Vankara Academy Charter School			54	72	K-2	1	1
6900	1330/-11 Alexandria Dr.	400						
	Opa-Locka, FL 33054	132	175	225	225	6-8	1	. 1
6050	Youth Co-Op Charter School 12051 W. Okeechobee Rd.							·
	Hieleah Gardens Fl 33018	386	525	525	525	K-8		
0000	ASPIRA Youth Leadership Charter School					14-0	! !	4
6020	19300 Mellioliai HWV.	288	450	470	450	6-9	11	
	North Miami, FL 33161 Northeast Academy		450	450				1
0120	1750 NE 168 St.	4.5						
	N. Miami Beach, FL 33162	416	600	600	600	K-5	11	3
6030	Doral Academy						"	J
~~~	2450 NW 97 Ave. Miami, FL 33172	1212	2,025	2,025	2.005	160		
	Doral Academy High School			2,020	2,025	K-8	111	. 5
7020	11100 NW 27 St	456	1 225					
	Miami, FL 33172	430	1,800	1,800	1,800	9-11	111	5
0400	Ryder Elementary Charter School 8380 NW 33 St.		<del></del>					
	Miami, FL 33122	488	500	500	500	K-5	111	5

Mall	Name and Address	Actual					<del></del>	2
Code	Of Charter School	Enrollment		ojected Enrollme	ent	Grade	ACCESS	Voting
	(AODIDA G	(10-04-02)	2003-2004	2004-2005	Maximum	Levels*	Center	District
	ASPIRA Eugenio Maria de Hostos Charter School	·						
6070	3650 N. Miami Ave.	174	250					
	Miami, FL 33127	''-	250	300	350	6-8	lV	2
	Downtown Miami Charter School							
3600	305 NW 3 Ave.	294	252					
ļ	Miami, FL 33128	294	650	650	650	K-6	IV	2
6010	Florida International Academy							_
9010	7630 Biscayne Blvd.	260	350	350	0.50			
	Miami, FL 33138		300	330	. 350	6-8	IV	2
0040	Liberty City Charter School 8700 NW 5 Ave.				<u> </u>			
	Miami, FL 33150	257	400	705	705	K-7	IV	•
	Mater East Charter School				, 00	107		2
3100	450 SW 4 St.	000						
	Miami, FL 33130	269	650	800	800	K-5	IV	6
İ	Miami Shores/Barry University Connected					·		
6040	1 Learning Center							
	11441 NW 2 Ave.	180	200	200	200	6-8	ıv	2
	Miami Shores, FL 33168						, ,	2
0500	Rosa Parks Community School/Overtown 430 NW 9 St.		· · · · · · · · · · · · · · · · · · ·					
1	Miami, FL 33136	42	425	500	500	K-6	IV	•
	Archimedean Academy				000	. 12-0	'*	2
0510	10870 SW 113 Place							······································
	Miami, FL 33176	80	225	325	500	K-3	l v l	7
	Pinecrest Preparatory Academy							·
0600	1 14301 SW 42 St	548	650	700				
ļ	Miami, FL 33175		000	700	700	K-6	V	8
	ASPIRA South Youth Leadership Charter School							
6060	14112-14114 SW 288 St.	160	220		-	•	ļ	
	Leisure City, FL 33033	100	230	260	260	6-8	VI	9
	Coral Reef Montessori Academy	-		<u> </u>				
0070	19000 SW 112 Ave.							
	Miami, FL 33157	221	500	500	500	K-8	VI	9
	Rosa Parks Charter School/Florida City							
0300	1713 West Palm Drive	149	250	300	22-			
Ł	Florida City, FL 33034	•••	200	300	600	K-7	VI	9
		<u> </u>	<u>l</u>				L {	

Mall		A						5	
Code	Name and Address Of Charter School	Actual Enrollment	Pro	ojected Enrollme	enŧ	Grade	ACCESS	Voting	ì
	Spiral Tech Elementary Charter School	(10-04-02)	2003-2004	2004-2005	Maximum	Levels*	Center	District	l
V200	12400 SW 72 St Miami, FL 33183	59	160	240	290	K-5	\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \		İ.
•	Grade levels for school year 2002-2003				230	N-0	VI	7	

NEW CHARTER SCHOOLS APPROVED TO OPEN FOR THE 2003-2004 SCHOOL VEAD

name and Address	Name and Address Projected Enrollment			00.04		(Rev. 3/2	
Of Charter School	2003-2004	2004-2005		03-04 Grade Level	Max Grade	ACCESS	
Mater Academy Middle School		2007-2003	Maximum	Clade Favel	Level	Center	
901 NW 103 Street	700	800				ı	
Haleah Gardens, FL 33016		. 600	800	6-8	6-8	•	
School for Integrated Academics & echnologies (SIATech)							
A school for high-risk students)						I	
Main: 3050 NW 183 Street	400	600	800	9-10	<u>.</u>		
Mlami, FL 33056			300	9-10	9-12		
wentura Charter Elementary School							
333 NE 188 Street							
fiami, FL 33180	600	600	600	K-5	K-5	II	
anet Dean Charter School	<u> </u>			_	K.O		
ves Dairy Rd. between NE 10 & 12 Ave.,	Deferred to 04-05 1.200				<del></del>		
Mami, FL	20101160 10 04-03	1,200	1,200	K-8	K-8	17	
children First Charter School							
90 W. 20 Street	Deferred to 04-05	Deferred to 04-05		K-3	K-5	111	
lialeah, FL 33010		250	550				
Poral Academy Middle School 1801 NW 112 Avenue							
Mami, FL 33172	800	800	800			111	
heodore R. & Thelma A. Gibson Charter			000	6-8	6-8		
School Charter							
629 Grand Avenue	575			j		IV	
Mami, FL 33133	0,0	575 600	600	K-8	K-8		
liami Children's Museum			_				
Vatson Island	.					١V	
flami, FL	Deferred to 04-05	350	350	( #		IV	
		330	350	K-5	K-5		

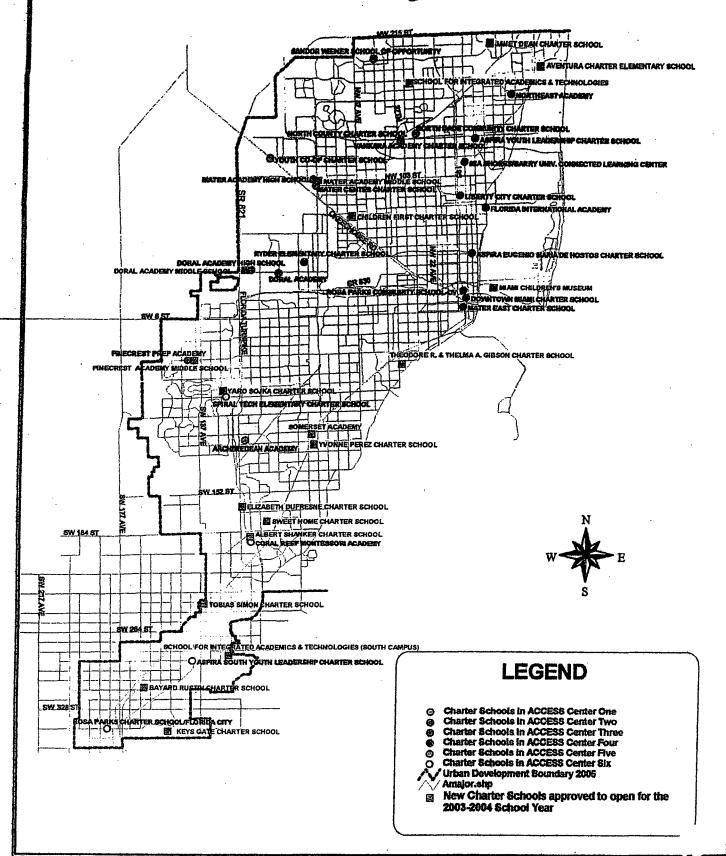
0,	
3	

Name and Address	Pro	ojected Enrollmen	03-04	Max Grade	ACCESS	
Of Charter School Somerset Academy	2003-2004	2004-2005	Maximum	Grade Level	Level	Center
11011 SW 80 Avenue Miami, FL 33156	Deferred to 04-05	650	800	K-5	K-8	V
Pinecrest Academy Middle School 14301 SW 42 Street Miami, FL 33175	650	700	800	6-8	6-8	V
Yvonne Perez Charter School SW 112 Street & US1 Miami, FL	Deferred to 04-05	1,200	1,200	K-8	K-8	V
Sweet Home Charter School 17201 SW 103 Avenue Miami, FL	Deferred to 04-05	775	1,075	Kindergarten	K-8	V
Elizabeth duFresne Charter School SW 117 Ave. &164 Terrace Miaml, FL	Deferred to 04-05	1,000	1,000	K-5	K-5	   VI
Yaro Sojka Charter School SW 127 Ave. & 72 Street Mami, FL	Deferred to 04-05	1,200	1,200	K-8	K-8	VI
Albert Shanker Charter School SE comer of Tumpike & Quail Roost Dr., Mami, FL	Deferred to 04-05	1,200	1,200	K-8	K-8	VI
Bayard Rustin Charter School SW 312 St. & 167 Avenue Homestead, FL	Deferred to 04-05	1,600	1,600	K-8	K-8	VI
Tobias Simon Charter School 24400 SW 137 Avenue Miami, FL	Deferred to 04-05	1,200	1,200	K-8	K-8	VI
Keys Gate Charter School SW 152 Ave. & SE 24 Street Homestead, FL	1,150	1,150	1,150	K-8	K-8	VI

temporary location for the first year - the permanent location will be at SW 180 Street & 107 Ave.

	TREMEDIATIONS TO THE PROPERTY OF THE PARTY O	
CAndiffer Words along the glasses	Parado viesoni	EPEVERS STATES
	Autobox of	Very law in the second
Chancellor Charter School at Corol Cables	Achooly *	Maximum Enrollment Capacity
Coral Gables Community Charter School	1	750
Wildill-Dade Charter Foundation	1	600
Wilami-Dade Charter Schools Inc	6	5,400
Wilami-Shores Charter High School	2	3,200
Somerset Academy	- 1	600
Balere Language Academy	8	8,600
Mater Gardens Academy Elementary School	1	450
Iwater Springs Academy Flementany Cohool	1	900
Water Academy South Charter School	1	600
Water Gardens Academy Middle School	1	900
Water Springs Academy Middle School	1	450
Sabai Palm Charter High School (West Wiclory Agents)	1	300
The star Academy of Excellence	1	800
Total applications: 14	27	600
	<u> </u>	24,150

## **Charter Schools by ACCESS Center**



APPLICATION NO. Z03-123 JOSE MILTON TRUST

Respectfully Submited,

DIC Executive Council February 18, 2004

Pedro G. Hernandez, P.E. Assistant County Manager

AYE

Antonio Bared, Fire Chief Miami-Dade Fire Rescue Department

Absent

Irma San Roman, Deputy Director Metropolitan Planning Organization Secretariat 2 Louis

**AYE** 

Diane O'Quinn Williams, Director Department of Planning and Zoning

Deanie Ollle,

**AYE** 

Aristides Rivera, P.E., P.L.S., Director Public Works Department

NAY

John W. Renfrow, P.E., Director Department of Environmental Resources Mgmt -w/wga

**AYE** 

Jorge S. Rodriguez, P.E., Assistant Director Miami-Dade Water and Sewer Department

AYE

#### PETITION OF APPEAL FROM DECISION OF MIAMI-DADE COUNTY COMMUNITY ZONING APPEALS BOARD TO THE BOARD OF COUNTY COMMISSIONERS

CHECKED BY HO	AMOUNT OF FEE \$923.40
RECEIPT # 12004 11460	DECEIVED-
DATE HEARD: <u>02/26/2004</u>	
BY CZAB # 5	MAR 1 2 2004 ZONING HEARINGS SECTION
	MIAMI-DADE PLANNING AND ZONING DEPT.  BY ON ON ON ONE OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE P
	DATE RECEIVED STAMP
This Appeal Form must be completed in accordance with Chapter 33 of the Code the Department on or before the Deadline	accordance with the "Instruction for Filing an Appeal" and in of Miami-Dade County, Florida, and return must be made to Date prescribed for the Appeal.
RE: Hearing No. <u>Z2003000123</u>	
Filed in the name of (Applicant) Jo	se Milton and Jose Milton Trust
Name of Appellant, if other than ag	oplicant Not applicable
Address/Location of APPELLANT'S prope	erty: 6790 NW 186 Street, more particularly described in Exhibit "A"
attached hereto; and 18265-18345 NW 68th A	venue, more particularly described in Exhibit "B" attached hereto.
	ppealed (Explanation). Entire Appealable Application
County Community Zoning Appeals Be accordance with the provisions contained hereby makes application to the Board grounds and reasons supporting the reveals follows: (State in brief and concise land)	·
See letter of appeal attached hereto and	fully incorporated herein.

### APPELLANT MUST SIGN THIS PAGE

Date: Grad. day of March, 2004		Jan bulles
	Signed:	JOSE MILTON/TRUSTE
		3211 Ponce De Leon Boulevard, Suite 301
		Coral Gables Florida 33134
		(305) 460-6300 (305) 447-6760 Fax
· ·	Signed:	JOSE MILTON
		3211 Ponce De Leon Boulevard, Suite 301
		Coral Gables Florida 33134
	•	(305) 460-6300 (305) 447-6760 Phone Fax
REPRESENTATIVE'S AFFIDAVIT If you are filing as representative of an		
association or other entity, so indicate:		Representing
:		Signature
		Print Name
		Address
		City State Zip
		Telephone Number
Subscribed and Sworn to before me on	the $\frac{1}{2}$ d	lay of Maron, 2004 B. Whazonch
		Notary Public
	A LANCO	(stamp/seal)  MMISSION # DD 094036  IRES: February 20, 2006  (stamp/seal)  Commission expires:

\73301\186R7\# 665592 v 1 3/2/04 7:16 PM Page 2

## APPELLANT'S AFFIDAVIT OF STANDING (must be signed by each Appellant)

STATE OF FLORIDA	
COUNTY OF MIAMI-DADE	
Community Zoning Appeals Board decision.	
The Appellant further states that they have standing Appeals Board matter because of the following:	ng by virtue of being of record in Cramunity Zoning
(Check all that apply)  X 1. Participation at the hearing X 2. Original Applicant 3. Written objection, waiver or consent	
Appellant further states they understand the mear under penalties of perjury, Affiant declares that the	ing of an oath and the penalties for perjury, and that facts stated herein are true.
Further Appellant says not.	
Witnesses:	Jac bull
Signature	JOSE MILTON TRUST BY: JOSE MILTON, TRUSTEE
DINA DOMINGUEZ	
Print Name	
Signature	
Thumas GCostiA Print Name	•
Sworn to and subscribed before me on the	day of March, 2004.
Appellant is personally know to me or has product identification.	Juane a. Belley
WONE A BOODEN	Notary (Stamp/Seal)

Commission Expires:

## APPELLANT'S AFFIDAVIT OF STANDING (must be signed by each Appellant)

#### STATE OF FLORIDA

COUNTY OF MIAMI-DADE	
Before me the undersigned authority, personally appeared	
The Appellant further states that they have standing by virtue of being of record in Community Zonir Appeals Board matter because of the following:	ıg
(Check all that apply)  X 1. Participation at the hearing  X 2. Original Applicant 3. Written objection, waiver or consent	a a t
Appellant further states they understand the meaning of an oath and the penalties for perjury, and the under penalties of perjury. Affiant declares that the facts stated herein are true.	101
Further Appellant says not.	
Witnesses:  Lose Millon  JOSE MILLON	
Signature	
Print Name	
Am	
Signature	
Thomas LCostlA Print Name	
Sworn to and subscribed before me on the 30. day of March, 2004.	
Appellant is personally know to me or has produced as	as
identification.  The same a Bassen	
MY COMMISSION # DD 282023 EXPERES: March 4, 2008 Conduct The Notary Public Underwriters  (Stamp/Seal)	
Commission Expires:	

A PARTNERSHIP OF PROFESSIONAL ASSOCIATIONS

200 SOUTH BISCAYNE BOULEVARD, SUITE 2500 • MIAMI, FLORIDA 33131-6340

TELEPHONE: (305) 374-7560 • FAX: (305) 374-7593

E-MAIL: INFOSBILZIN.COM • WWW.BILZIN.COM

Stanley B. Price, Esquire
Direct Dial: (305) 350-2374
Direct Facsimile: (305) 351-2285
E-mail: sprice@bilzin.com

March 3, 2004

#### VIA HAND DELIVERY

Ms. Diane O'Quinn Williams
Miami-Dade County Department of
Planning and Zoning
Eleventh Floor
111 N.W. First Street
Miami, Florida 33128

Re: Jose Milton & Jose Milton Trust

Miami-Dade County Zoning Application Z2003000123

Property Folio Numbers 30-2011-003-0010 & 30-2011-005-0010

#### LETTER OF APPEAL

#### Dear Ms. Williams:

In accordance with the standards prescribed in Section 33-313 of the Code of Miami-Dade County, please accept this correspondence as our letter of appeal regarding the above-referenced Miami-Dade Zoning Application for Public Hearing as heard by the Community Zoning Appeals Board for District 5 (hereinafter the "Zoning Appeals Board") on February 26th, 2004. This firm represents Jose Milton and Jose Milton Trust (collectively the "Appellant"), owners of approximately 19.312 contiguous acres of land situated along NW 186th Street and NW 68th Avenue in Miami-Dade County.

By and through the enclosed application, the Appellant respectfully submits that the decision rendered by the Zoning Appeals Board denying Application No. Z2003000123 was not supported by substantial competent evidence and violated the essential requirements of law. As such, the Appellant respectfully requests that the challenged decision be vacated and the application be reviewed *de novo* by the Miami-Dade County Board of County Commissioners.

Ms. Diane O'Quinn Williams Page 2 March 4, 2004

#### Statement of Proposed Development

The properties at issue in this appeal and made a part of Public Hearing Application Z2003000123 (the "Application") comprise two separate parcels of land including a 13.204± acre tract located at 6790 NW 186 Street (hereinafter the "Country Club Towers") together with a 6.108± acre tract located at 18255-18345 NW 68th Avenue (hereinaster the "Village Center"). The Country Club Towers property, developed in 1981, is currently improved as a gated multifamily apartment complex with occupancy levels consistently reaching full capacity. Unfortunately, however, the Village Center has not enjoyed the same level of success. Developed as a retail shopping center and office complex in 1974, the Village Center has experienced a continuing decline in occupancy over the past several years and, due to the growing amount of store vacancies at the property, has become a haven for criminal activities and a blight on the surrounding community. The application subject to this appeal, as shown on the development plans prepared by architect Salvador M. Cruxent (last dated January 8th, 2004) and made a part of the record below, seeks to improve the conditions of this area by requesting zoning approval to redevelop the Village Center into a residential apartment complex, to renovate and partially redevelop the Country Club Towers property, and to unify the two land areas into a single gated residential community. The purpose of the proposed development is to allow for a free flowing residential community where residents can share and enjoy large open green spaces and common areas, swimming pools, recreational buildings, access to and from N.W. 186th Street and N.W. 68th Avenue, an on-site neighborhood convenience store, and ample off street parking.

In order to effectuate the planned development project, the following relief was requested by the Appellant: Pertaining exclusively to the Village Center property—(1) a district boundary change from BU-1A to RU-4; Pertaining exclusively to the Country Club Towers property—(2) modification of Resolution No. 4-ZAB-98-85 substituting previously approved development plans with those submitted in conjunction with the current application; Pertaining to both the Village Center and the Country Club Towers properties—(3) an unusual use for entrance features permitting a guardhouse, a decorative fountain and separate gated entranceways that will collectively service the proposed unified residential community.

\73301\18687\ # 665896 v 1 3/4/04 12:28 PM

Ms. Diane O'Quinn Williams Page 3 March 4, 2004

## Miami-Dade County Professional Staff's Development Review

On February 18th, 2004, the Miami-Dade County Development Impact Committee (Executive Council) reviewed the above requests and the proposed development plans in its entirety. Based upon this review, the Executive Council found the proposed development to be consistent with the provisions of the Miami-Dade County Comprehensive Development-Master Plan ("CDMP"), the provisions of the Miami-Dade County Code of Ordinances, and compatible with the surrounding area. Specifically, the Executive Council determined that the proposed development was acceptable under every criteria; including the scale and utilization of the site, location of proposed buildings, general compatibility, landscaping treatment, open space, buffering, access, parking layout and circulation, visibility and visual screening, and urban design. Additionally, the following County agencies offered no objection to the approval of the application: (1) the Department of Environmental Resource Management ("DERM"), (2) Public Works, (3) Parks, (4) Miami-Dade Transit, (5) Fire Rescue, (6) Police, (7) Schools, and (8) the Department of Planning and Zoning. Based upon these findings and after reviewing all County agency reports, the Executive Council issued a recommendation supporting the approval of the proposed unified development. A copy of this recommendation is attached hereto and incorporated herein as Appellants' Exhibit "A".

#### The Zoning Appeals Board

Notwithstanding the above findings and reports, and without first hearing testimony from any of the County's professional staff representatives present at the public hearing, the Zoning Appeals Board summarily denied Appellants' request for approval based upon unsubstantiated claims of non-concurrency in area schools and roadways as well as on the misplaced assumption that an increase in community apartment units will result in an escalation of area crime.

## A. The Order Denying Application No. Z2003000123 Is Not Supported by Substantial, Competent Evidence and Must Be Reversed as a Matter of Law.

The Zoning Appeals Board's decision to deny the application was not supported by substantial competent evidence and, as such, must be reversed as a matter of law. It is a well-settled principal that local decisions to approve or deny and application for zoning relief must be founded on substantial, competent evidence. Courts reviewing such issues have repeatedly

\73301\18687\# 665896 v 1 3/4/04 12:28 PM

Ms. Diane O'Quinn Williams Page 4 March 4, 2004

recognized that the recommendations issued by the County's professional staff constitute the substantial, competent evidence required to validate the decision of a local zoning board. See Dade County v. United Resources, Inc., 374 So. 2d 1046 (Fla. 3d DCA 1979). Additionally, the appellate courts have held that staff reports and testimony, as opposed to general recommendations, also constitute substantial, competent evidence on which the zoning authority can rely to support its decision to approve or deny an application. Norwood-Norland Homeowners' Ass'n v. Dade County, 511 So. 2d 1009 (Fla. 3d DCA 1987); see also, Fuller, 515 So. 2d 1312 (Fla. 3d DCA 1987); Hillsborough County Bd. Of County Comm'rs v. Longo, 505 So. 2d 470 (Fla. 2d DCA 1987).

In a clear departure from these well-recognized legal concepts, the Zoning Appeal's Board failed to take into consideration the findings of fact and law recited in the DIC Executive Council's recommendation. In fact, after the public hearing had been closed and without reference to any evidence rebutting the testimony and documentary evidence presented, Chairman Jorge I. Bonseñor indicated that he did not believe that the findings generated in the professional staff's recommendation were accurate or should be afforded any weight. Additionally, several other council members indicated, in clear contradiction to the professional staff findings, that the proposed development was incompatible with the surrounding area, that concurrency does not exist for area schools and roadways, and that an increase in community apartment units will likely result in an escalation of area crime.

When confronted with similar cases, Florida courts have repeatedly determined that such generalized statements, unsubstantiated by fact-based testimony or documentary evidence, does not amount to substantial, competent evidence upon which a zoning authority can base its decision to approve or deny an application. See Marion County v. Priest, 786 So. 2d 623 (Fla. 5th DCA 2001); see also City of Apopka v. Orange County, 299 So. 2d 657 (Fla. 4th DCA 1974); Grefkowicz v. Metropolitan Dade County, 389 So. 2d 1041, 1042 (Fla. 3d DCA 1980). As such, the Appellant respectfully submits that the Zoning Appeals Board's decision to deny the application was not based upon competent, substantial evidence and must be vacated as a matter of law.

\73301\18687\#665896 v 1 3/4/04 12:28 PM

Ms. Diane O'Quinn Williams Page 5 March 4, 2004

B. The Zoning Appeals Board's Decision to Deny the Application in Contradiction to the Goals, Policies and Objectives of the CDMP Violated the Essential Requirements of Law.

The Florida Supreme Court in the leading case of Haines City Community Dev. v. Heggs, 658 So. 2d 523 (Fla. 1995), explained that a departure from the essential requirements of the law means a departure from those requirements of the law which are deemed essential to the administration of justice, namely, (a) a denial of procedural due process of law, or (b) an improper exercise of jurisdiction, or (c) the commission of an error, such as applying an incorrect rule of law, which is so fundamental in character as to fatally infect the judgment and render it void as being a miscarriage of justice. In analyzing this standard, courts have held that the noncompliance with a statute or ordinance applicable to the issues presented, like the County's CDMP in the current appeal, results in a gross miscarriage of justice. See generally Kirchhoff v. South Florida Water, 805 So. 2d 848, 849 (Fla. 2d DCA 2001): see also Rd of County Comm'rs v. Webber, 658 So. 2d 1069, 1072 (Fla. 2d DCA 1995).

As set forth in the Executive Council's recommendation of approval, the Village Center and Country Club Towers properties are situated within the County's development infill area. The CDMP interpretive text provides that the County shall vigorously discourage urban sprawl by promoting higher residential densities within the County's urban infill area, especially where future development is located within the County's transition areas. See CDMP Land Use Element Policy 1C and Page I-21. Specifically, the CDMP provides that the County shall rejuvenate decayed areas (like the Village Center property) by promoting redevelopment and infilling and shall redirect higher density development towards activity centers or areas of high countywide accessibility. See id. In the present case, the Zoning Appeals Board did exactly the opposite. In contradiction of the professional staff's findings and reports, the Zoning Appeals Board voted to deny the proposed unified development based upon generalizations of traffic congestion, school overcrowding, and crime. As such, the Appellant submits that the decision of the Zoning Appeals Board was a miscarriage of justice departing from the essential requirements of law and must be vacated.

In addition, as further set forth in the Executive Council recommendation of approval, the CDMP directs the County and its various agencies to assist the private sector in providing much needed affordable housing, such as that which is being proposed in the current application. See

\73301\18687\# 665896 v 1 3/4/04 12:28 PM

Ms. Diane O'Quinn Williams Page 6 March 4, 2004

generally CDMP Land Use Element, Housing Element, and Transportation Element. Specifically, the Land Use Element provides that approximately 272,000 additional affordable housing units are needed in Miami-Dade County by 2015 and, in 1995, the County estimated a need for 1,758 additional multi-family rental units in census tracts 101.17 and 101.18 which cover both the Country Club Towers and Village Center properties. Nevertheless, once again the Zoning Appeals Board chose to ignore the applicable provisions of the CDMP and voted to deny the application based upon unsubstantiated views of area overcrowding.

In addition to the foregoing, the revitalization of the shopping center was an essential element of the application. Testimony was proffered that the shopping center has failed to generate rate based tenants, was running at occupancy levels of approximately 50 percent for the last several years, and became a breeding ground for crime in the area.

Thank you for your consideration of this appeal. If we can provide you with additional information or documents, please do not hesitate to contact me at (305) 375-6139.

Very truly yours,

Stanley 5. Price

Enclosure

cc.

Jose Milton

Bill Riley, Esquire

\73301\18687\ # 665896 v 1 3/4/04 12:58 PM

#### **RESOLUTION NO. CZAB5-4-04**

## WHEREAS, JOSE MILTON TRUST applied for the following:

(1) BU-1A to RU-4

#### REQUEST #1 ON THE SOUTHERN TRACT

- (2) UNUSUAL USE for entrance features to wit: gated entrances, guardhouses and a decorative fountain.
- (3) Applicant is requesting to permit 29 street trees (49 required), 189 lot trees (541 required) and 4,823 shrubs (5,900 required).

## REQUESTS #2 & #3 ON THE NORTHERN AND SOUTHERN TRACTS

- (4) MODIFICATION of Condition #3 of Resolution Z-190-71, passed and adopted by the Board of County Commissioners and last modified by Resolution 4-ZAB-98-85, passed and adopted by The Zoning Appeals Board, reading as follows:
  - FROM: " 3. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'A partments Conversion for Country Club Towers', as prepared by Salvador M. Cruxent, Architect, dated 12-20-84, and consisting of 3 pages."
    - TO: " 3. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'C ountry Club Towers Second Phase II', as prepared by Salvador M. Cruxent, consisting of 12 sheets Sheets A1.1 & A1.2 dated last revised 01/08/04, A1.3 through A5.2 dated last revised 1/6/04 and landscape plans entitled 'Phase II Country Club Towers Apartment Complex,' as prepared by EGS2 Corp., consisting of 5 sheets, dated signed and sealed 1/6/04.

The purpose of this request is to permit the applicant to submit revised site plans for expansion of a residential apartment development onto additional property to the south...

(5) DELETION of three (3) agreements as recorded in Official Records Book 7397, Pages 597 through 603, Official Records Book 7397, Pages 604 through 609 and Official Records Book 7397, Pages 620 through 625.

The purpose of this request is to allow the applicant to release the aforementioned agreements from the subject property, which tied the residential parcel to a site plan.

### REQUESTS #4 & #5 ON THE NORTHERN TRACT

Upon a demonstration that the applicable standards have been satisfied, approval of request #3 may be considered under §33-311(A)(15) (Alternative Site Development Option for Multiple-Family Use) OR §33-311(a)(4)(b) (Non-Use Variance) or (c) (Alternative Non-Use Variance) and approval of requests #4 & #5 may be considered under §33-311(A)(7) or §33-

311(A)(17) (Modification or Elimination of Conditions or Covenants After Public Hearing). The aforementioned plans are on file and may be examined in the Zoning Department. Plans may be modified at public hearing.

SUBJECT PROPERTY: <u>NORTHERN TRACT</u>: Tract " A", COUNTRY CLUB TOWERS, Plat book 117, Page 2. AND: <u>SOUTHERN TRACT</u>: Tract " A", COUNTRY CLUB OF MIAMI VILLAGE CENTER, Plat book 99, Page 61.

LOCATION: The Southeast corner of N.W. 186 Street, & N.W. 68 Avenue, Miami-Dade County, Florida, and

WHEREAS, a public hearing of the Miami-Dade County Community Zoning Appeals Board 5 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and at which time the applicant requested permission to withdraw the request to permit 29 street trees, 189 lot trees, and 4,823 shrubs, and at which time the applicant proffered a Declaration of Restrictions, and

WHEREAS, upon due and proper consideration having been given to the matter and to the recommendation of the Developmental Impact Committee, it is the opinion of this Board that the requested district boundary change to RU-4 (Item #1) would not be compatible with the neighborhood and area concerned and would be in conflict with the principle and intent of the plan for the development of Miami-Dade County, Florida, and should be denied, and that the requested unusual u.e (Item #2), the request to permit 29 street trees, 189 lot trees, and 4,823 shrubs (Item #3), the requested modification of Condition #3 of Resolution Z-190-71 (Item #4), and deletion (Item #5) would not be compatible with the area and its development and would not be in harmony with the general purpose and intent of the regulations and would not conform with the requirements and intent of the Zoning Procedure Ordinance, and that the requested unusual use would have an adverse impact upon the public interest and should be denied without prejudice, and

11-52-40/03-123 Page No. 2 CZAB5-4-04 65

#### STATE OF FLORIDA

#### COUNTY OF MIAMI-DADE

I, Earl Jones, as Deputy Clerk for the Miami-Dade County Department of Planning and Zoning as designated by the Director of the Miami-Dade County Department of Planning and Zoning and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board 5, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB5-4-04 adopted by said Community Zoning Appeals Board at its meeting held on the 24th day of February, 2004.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 1st day of March, 2004.

Earl Jones, Deputy Clerk (3230

Miami-Dade County Department of Planning and Zoning

**SEAL** 



MIAMI-DADE FIRE RESCUE DEPARTMENT ZONING COMMENTS

0-05

Hearing Number: 203-123. Service Impact: \(\simega\) Yes ZONING HEARINGS SECTION
MIAMI-DAUE PLANNING AND ZONING ☐ Yes Plans: Request: LNW 68th AUE Location: Recommendation: Approved Approved with conditions Approved with no change from previous submittal Defer to DIC comments with reduction Estimated number of alarms generated annually by application: If there is an impact, below is the service availability: Grid 0172 DU/SF Station District Occupancy Type Impact of additional calls on closest station: Minimal Impact. Moderate Impact. Planned Service in the area: Year to be Service Location Completed □ None ACCESS: Description of Concern(s): Gated entrances must have a minimum 15' width and must provide an elevator lock box containing a switch or lever to activate the gate for fire department use. Access lanes are to be a minimum of 20 feet wide with a vertical clearance of 13 feet 6 inches. Turnabout for fire apparatus shall have a minimum centerline radius of 50 feet. (T or Y turnaround acceptable to the AHJ shall be permitted) (Florida Fire Prevention Code) Fire Engineering & Water Supply Bureau site plan review and approval required prior to time of permit. OTHER CONCERN(S): Reviewed by: Phone: Barbara J. Matthews

## TEAM METRO NORTHWEST OFFICE

#### **ENFORCEMENT HISTORY**

JOSE MILTON TRUST

THE SOUTHEAST CORNER OF NW 186 STREET, & NW 68 AVENUE, MIAMI-DADE COUNTY, FLORIDA

**APPLICANT** 

**ADDRESS** 

05/13/2004

03-123

DATE

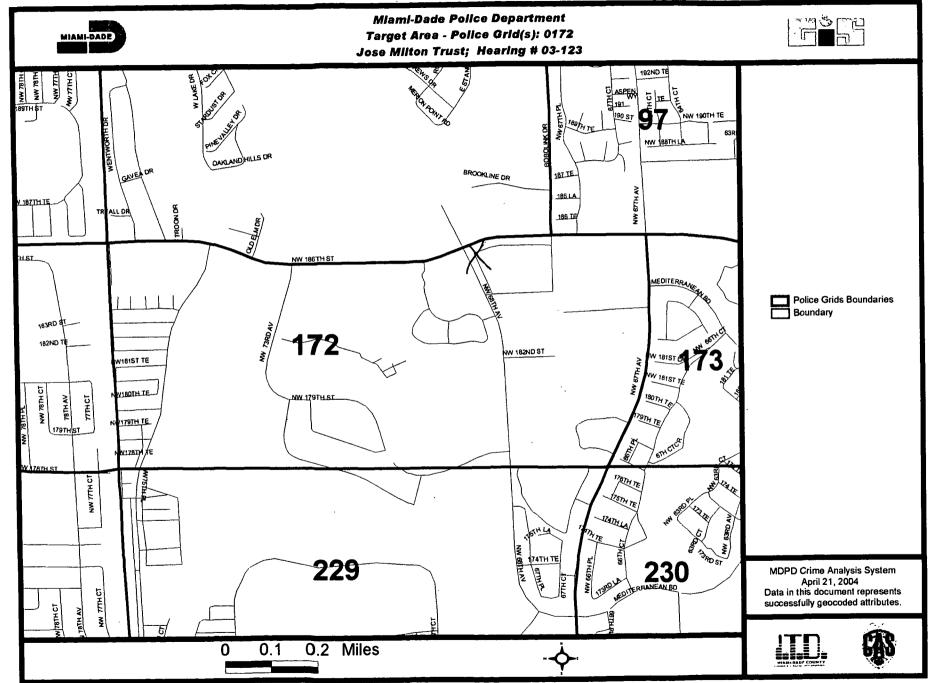
**HEARING NUMBER** 

NO CURRENT ENFORCEMENT ACTION

#### CASE #200407000906

04-15-04

INSPECTION REVEALED, NO VISIBLE VIOLATIONS WERE OBSERVED.



## Summarized Grid Information By Signal For 1/1/02 Thru 2002-12-31



Detail Filter: ( Dis.Complaint Date >= "2002-01-01" and Dis.Complaint Date < "2003-01-01") and ( Dis.Grid in ( "0172" ) ) and ( Dis.Signal Code in ( "13", "14", "15", "16", "17", "18", "19", "20", "21", "22", "23", "24", "25", "26", "27", "28", "29", "30", "31", "32", "33", "34", "35", "36", "37", "38", "39", "40", "41", "42", "43", "44", "45", "46", "47", "48", "49", "50", "51", "52", "53", "54", "55" ) ) and ( Dis.Primary Unit not contains '0000' ) and ( Dis.Primary Unit not contains 'SB' ) and ( Dis.Reporting Agency Code = substring ( "030", 1, 3 ) )

Crime Information Warehouse

Grid	Signal Code	Signal Description	Total
0172	13	SPECIAL INFORMATION/ASSIGNMENT	1230
	14	CONDUCT INVESTIGATION	1100
	15	MEET AN OFFICER	3400
	16	D.U.I.	12
	17	TRAFFIC ACCIDENT	324
	18	HIT AND RUN	88
	19	TRAFFIC STOP	667
	20	TRAFFIC DETAIL	65
	21	LOST OR STOLEN TAG	78
	22	AUTO THEFT	179
	25	BURGLAR ALARM RINGING	917
	26	BURGLARY	326
	27	LARCENY	184
	28	VANDALISM	86
	29	ROBBERY	24
	32	ASSAULT	297
	33	SEX OFFENSE	21
	34	DISTURBANCE	945
	36	MISSING PERSON	66
	37	SUSPICIOUS VEHICLE	33
	38	SUSPICIOUS PERSON	73
	39	PRISONER	80

# Summarized Grid Information By Signal For 1/1/02 Thru 2002-12-31



Detail Filter: ( Dis.Complaint Date >= "2002-01-01" and Dis.Complaint Date < "2003-01-01" ) and ( Dis.Grid in ( "0172" ) ) and ( Dis.Signal Code in ( "13", "14", "15", "16", "17", "18", "19", "20", "21", "22", "23", "24", "25", "26", "27", "26", "27", "28", "39", "30", "31", "32", "33", "34", "35", "36", "37", "38", "39", "40", "41", "42", "43", "44", "45", "46", "47", "48", "49", "50", "51", "52", "53", "54", "55" ) ) and ( Dis.Primary Unit not contains 'O000' ) and ( Dis.Primary Unit not contains 'SB' ) and ( Dis.Reporting Agency Code = substring ( "030", 1, 3 ) )

Crime Information Warehouse

Grid	Signal Code	Signal Description	Total
0172.	41	SICK OR INJURED PERSON	66
	43	BAKER ACT	22
	44	ATTEMPTED SUICIDE	10
	45	DEAD ON ARRIVAL	7
	47	BOMB OR EXPLOSIVE ALERT	5
	48	EXPLOSION	3
	49	FIRE	36
	52	NARCOTICS INVESTIGATION	58
	53	ABDUCTION	2
	54	FRAUD	72
	55	WEAPONS VIOLATION	1

Total Signals for Grid 0172:

10477

Total Reported: 7147

Total Not Reported: 3330

Total for All Grids: 10477

## Summarized Grid Information By Signal For 1/1/03 Thru 2003-12-31



Detail Filter: ( Dis.Complaint Date >= "2003-01-01" and Dis.Complaint Date < "2004-01-01" ) and ( Dis.Grid in ( "0172" ) ) and ( Dis.Signal Code in ( "13", "14", "15", "16", "17", "18", "19", "20", "21", "22", "23", "24", "25", "26", "27", "28", "29", "30", "31", "32", "33", "34", "35", "36", "37", "38", "39", "40", "41", "42", "43", "44", "45", "46", "47", "48", "49", "50", "51", "52", "53", "54", "55" ) ) and ( Dis.Primary Unit not contains '0000' ) and ( Dis.Primary Unit not contains 'SB' ) and ( Dis.Reporting Agency Code = substring ( "030", 1, 3 ) )

Crime Information Warehouse

Grid	Signal Code	Signal Description	Total
0172	13	SPECIAL INFORMATION/ASSIGNMENT	814
	14	CONDUCT INVESTIGATION	1194
	15	MEET AN OFFICER	3329
1	16	D.U.I.	9
	17	TRAFFIC ACCIDENT	322
	18	HIT AND RUN	73
	19	TRAFFIC STOP	611
	20	TRAFFIC DETAIL	49
	21	LOST OR STOLEN TAG	83
	22	AUTO THEFT	178
	25	BURGLAR ALARM RINGING	522
	26	BURGLARY	285
	27	LARCENY	141
	28	VANDALISM	71
	29	ROBBERY	26
	30	SHOOTING	2
	32	ASSAULT	278
ļ	33	SEX OFFENSE	21
	34	DISTURBANCE	866
	36	MISSING PERSON	66
	37	SUSPICIOUS VEHICLE	45
	38	SUSPICIOUS PERSON	78

### mi-Dade Police Departme **Summarized Grid Information By Signal** For 1/1/03 Thru 2003-12-31



Detail Filter: ( Dis.Complaint Date >= "2003-01-01" and Dis.Complaint Date < "2004-01-01" ) and ( Dis.Grid in ( "0172" ) ) and ( Dis.Signal Code in ( "13", "14", "15", "16", "17", "18", "19", "20", "21", "22", "23", "24", "25", "26", "27", "28", "29", "30", "31", "32", "33", "34", "35", "36", "37", "38", "39", "40", "41", "42", "43", "44", "45", "46", "47", "48", "49", "50", "51", "52", "53", "54", "55" ) ) and ( Dis.Primary Unit not contains '0000' ) and ( Dis.Primary Unit not contains 'SB' ) and ( Dis.Reporting Agency Code = substring ( "030", 1, 3 ) )

Crime Information Warehouse

Grid	Signal Code	Signal Description	Total
0172.	39	PRISONER	75
	41	SICK OR INJURED PERSON	125
	43	BAKER ACT	30
	44	ATTEMPTED SUICIDE	12
	45	DEAD ON ARRIVAL	6
	47	BOMB OR EXPLOSIVE ALERT	3
	48	EXPLOSION	1
	49	FIRE	41
	52	NARCOTICS INVESTIGATION	70
	53	ABDUCTION	2
	54	FRAUD	80
	55	WEAPONS VIOLATION	1

Total Signals for Grid 0172:

9509

Total Reported: 6571

Total Not Reported: 2938

Total for All Grids: 9509



# Part I and Part II Crimes w/o A Reporting Agency: MDPD

Reporting Agency: MDPD From 1/1/02 Thru 1/1/03

**YEAR: 2002** 

Crime Information Warehouse

Prompt Variable Used: All County: N

Grid(s): 0172

PART I Crimes	Total Crimes	
110A - RAPE	1	
110B - SODOMY	1	
110C - FONDLING	2	
1200 - ROBBERY	17	
130A - AGGRAVATED ASSAULT	53	
130D - AGGRAVATED STALKING	1	
2200 - BURGLARY	104	
230A - POCKET PICKING	1	
230C - SHOPLIFTING	34	
230F - SHOPLIFTING FROM A MOTOR VEHICLE	152	
230G - SHOPLIFTING ALL OTHERS	134	
2400 - MOTOR VEHICLE THEFT	112	



## MIAMI-DADE POLICE DEPARTMENT Part I and Part II Crimes w/o AQ

Reporting Agency: MDPD From 1/1/02 Thru 1/1/03

**YEAR: 2002** 

Crime Information Warehouse

Prompt Variable Used: All County: N

Grid(s): 0172

PART II Crimes	Total Crimes	
1000 - KIDNAPPING - ABDUCTION	2	
2000 - ARSON	3	
130B - SIMPLE ASSAULT	80	
350A - NARCOTIC BUY/SELL/POSS/IMPORT/MANUF	30	
350B - ILLEGAL DRUG EQUIPMENT	2	
260A - FRAUD CON/SWINDLE/FALSE PRET.	19	
260B - FRAUD CREDIT CARD/ATM	15	
260D - IMPERSONATION	29	
260F - WIRE FRAUD	1	

**Grand Total:** 

793

Detail Filter: Ol.Incident From Date Time >= "2002-01-01" and Ol.Incident From Date Time < "2003-01-01" and Ol.Offense.Ucr Code in ( '090A', '1200', '130A', '130D', '2200', '230A', '230B', '230B', '230E', '230F', '230G', '2400', '090C', '130B', '130E', '350A', '350B', '5100', '2700', '260A', '260B', '260D', '260E', '260F', '1000', '2000', '110A', '110B', '110C') and Ol.Aoa Agency Code = '000' and Ol.Clearance Type Description <> 'UNFOUNDED' and Ol.Report Written YN = 'Y' and ( All County = 'Y' or All County = 'N' and Ol.Grid in ( "0172")) and Ol.Reporting_Agency_Code = "030"



Miami-Dade Police Department

Prompt Variable Used: All County: N

### MIAMI-DADE POLICE DEPARTMENT Part I and Part II Crimes w/o A

Reporting Agency: MDPD From 1/1/03 Thru 1/1/04

**YEAR: 2003** 

Crime Information Warehouse

Grid(s): 0172

Total **PART I Crimes Crimes** . 1 090A - MURDER - NONNEG MANSLAUGHTER 2 110A - RAPE 1 110B - SODOMY 5 110C - FONDLING 22 **1200 - ROBBERY** 47 130A - AGGRAVATED ASSAULT 82 2200 - BURGLARY 1 230B - PURSE SNATCHING 39 230C - SHOPLIFTING 1 230E - SHOPLIFTING FROM A COIN MACHINE 120 230F - SHOPLIFTING FROM A MOTOR VEHICLE 117 230G - SHOPLIFTING ALL OTHERS 99 2400 - MOTOR VEHICLE THEFT



## MIAMI-DADE POLICE DEPARTMENT Part I and Part II Crimes w/o A

Reporting Agency: MDPD From 1/1/03 Thru 1/1/04

**YEAR: 2003** 

Crime Information Warehouse

Prompt Variable Used: All County: N

Grid(s): 0172

PART II Crimes	Total Crimes	
1000 - KIDNAPPING - ABDUCTION	1	
2000 - ARSON	2	
130B - SIMPLE ASSAULT	103	
350A - NARCOTIC BUY/SELL/POSS/IMPORT/MANUF	53	
260A - FRAUD CON/SWINDLE/FALSE PRET.	25	
260B - FRAUD CREDIT CARD/ATM	8	
260D - IMPERSONATION	28	

**Grand Total:** 

757

Detail Filter: Ol.Incident From Date Time >= "2003-01-01" and Ol.Incident From Date Time < "2004-01-01" and Ol.Offense.Ucr Code in ( '090A', '1200', '130A', '130D', '2200', '230A', '230B', '230C', '230D', '230E', '230F', '230G', '2400', '090C', '130B', '130E', '350A', '350B', '5100', '2700', '260A', '260B', '260D', '260E', '260F', '1000', '2000', '110A', '110B', '110C') and Ol.Aoa Agency Code = '000' and Ol.Clearance Type Description <> 'UNFOUNDED' and Ol.Report Written YN = 'Y' and ( All County = 'Y' or All County = 'N' and Ol.Grid in ( "0172")) and Ol.Reporting_Agency_Code = "030"



### DISCLOSURE OF INTEREST

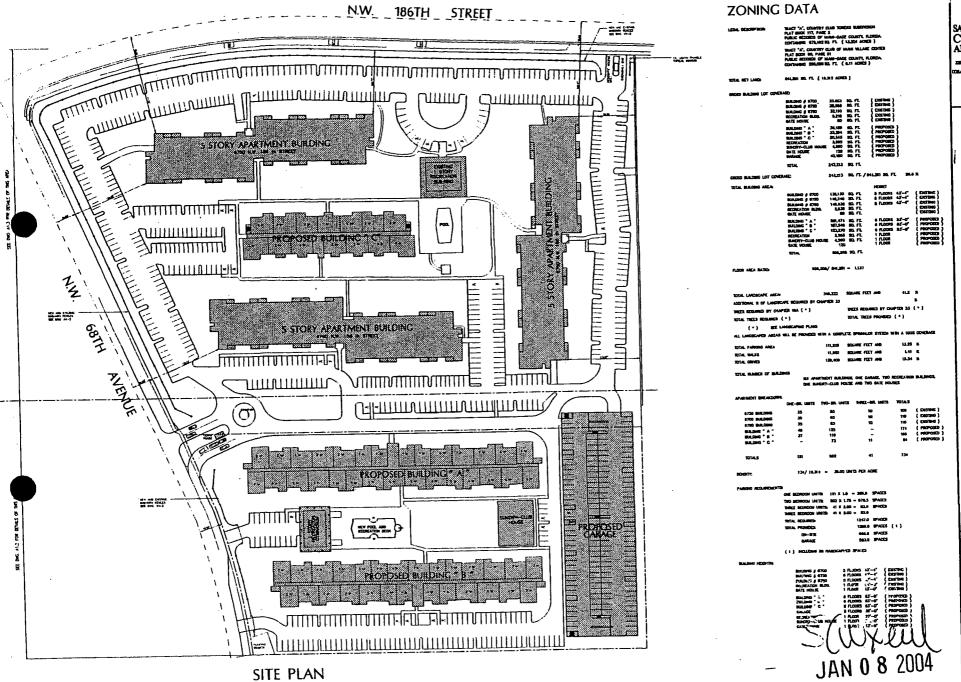
If a CORPORATION owns or leases the subject property, list principal stockholders and percent of stock owned by each. [Note: Where principal officers or stockholders consist of other corporation(s), trust(s), partnership(s) or similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

CORPORATION NAME: Not applicable.	
NAME AND ADDRESS	Percentage of Stock
NAME AND ADDITION	
If a TRUST or ESTATE owns or leases the subject property, li interest held by each. [Note: Where beneficiaries are other than be made to identify the natural persons having the ultimate owne	
TRUST/ESTATE NAME: Jose Milton Trust	
NAME AND ADDRESS	Percentage of Stock
Mr. Jose Milton	1007.
MIT. JOSE WIIILOW	
If a PARTNERSHIP owns or leases the subject property, list the partners. [Note: Where partner(s) consist of other partnersh entities, further disclosure shall be made to identify the natural interests].	persons having the ultimate ownership
PARTNERSHIP OR LIMITED PARTNERSHIP NAME: Not applic	able.
NAME AND ADDRESS	Percentage of Stock
·	

78

including principal officers, stockholders	E by a Corporation, Trust or lership, list purchasers below s, beneficiaries or partners. [Note: Where principal officers consist of other corporations, trusts, partnerships or similar to identify natural persons having ultimate ownership interests].
NAME OF PURCHASER: Not applicable.	
NAME AND ADDRESS	Percentage of Stock
TV WILL THE	
	-
Date of contract:	
application, but prior to the interest is required.	p or changes in purchase contracts after the date of the le date of final public hearing, a supplemental disclosure of the date
JOSE MILTON TRUST	
BY: JOSE MICTON, TRUSTEE  public  Sworn to and subscribed before me this	Date Mr. 13, 2003  Age day of March , 2003. Affiant is personally
(Notary Public)  My commission expires Mar. 4 200	YVONNE A. BODDEN MY COMMISSION # CC 888402 EXPIRES: March 4, 2004 Bonded Thru Notary Public Underwriters
<ul> <li>Disclosure snall not be required of: 1</li> </ul>	) any entity, the equity interests in which are regularly traded on an

established securities market in the United States or another country; or 2) pension funds of more than five thousand (5,000) ownership interests; or 3) any entity where ownership interests are held in a partnership, corporation or trust consisting of more than five thousand (5,000) separate interests, including all interests at every level of ownership and where no one (1) person or entity holds more than a total of five per cent (5%) of the ownership interest in the partnership, corporation or trust. Entities whose ownership interests are held in a partnership, corporation, or trust consisting of more than five thousand (5,000) separate interests, including all interests at every level of ownership, shall only be required to disclose those ownership interest which exceed five (5) percent of the ownership interest in the partnership, corporation or trust.



8 SALVADOR M. CRUXENT ARCHITECT ZZEJ POWICE DE LEXTH NE.VO. SEUTE SHA COMPAL GARRIES FRANKSIA SHE COMPANION HAS

= PHASE

SECOND COUNTRY CLUB TOWERS

REVISIONS

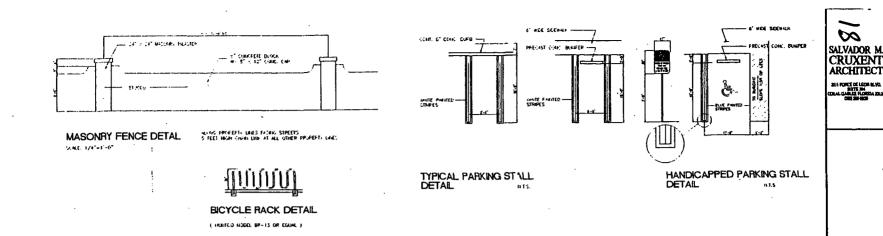
01-66-64 01-07-04

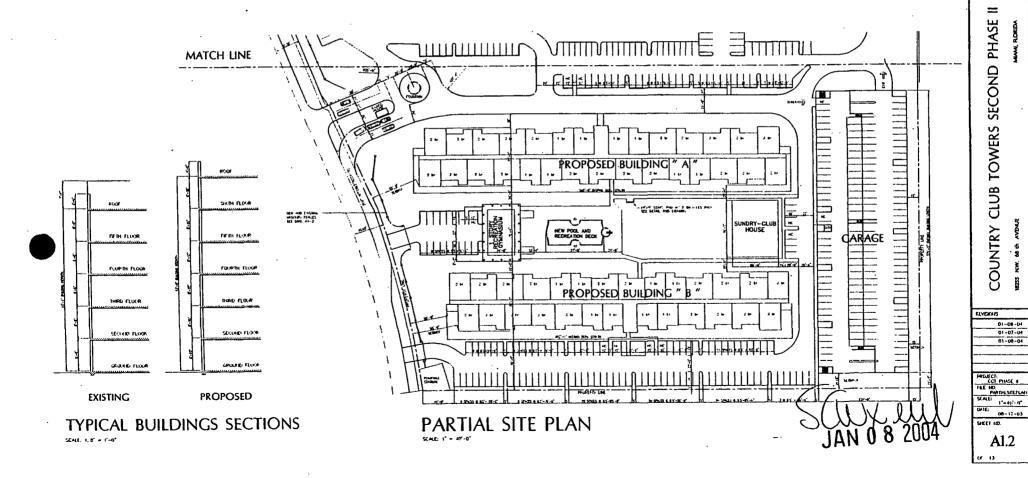
01-08-04

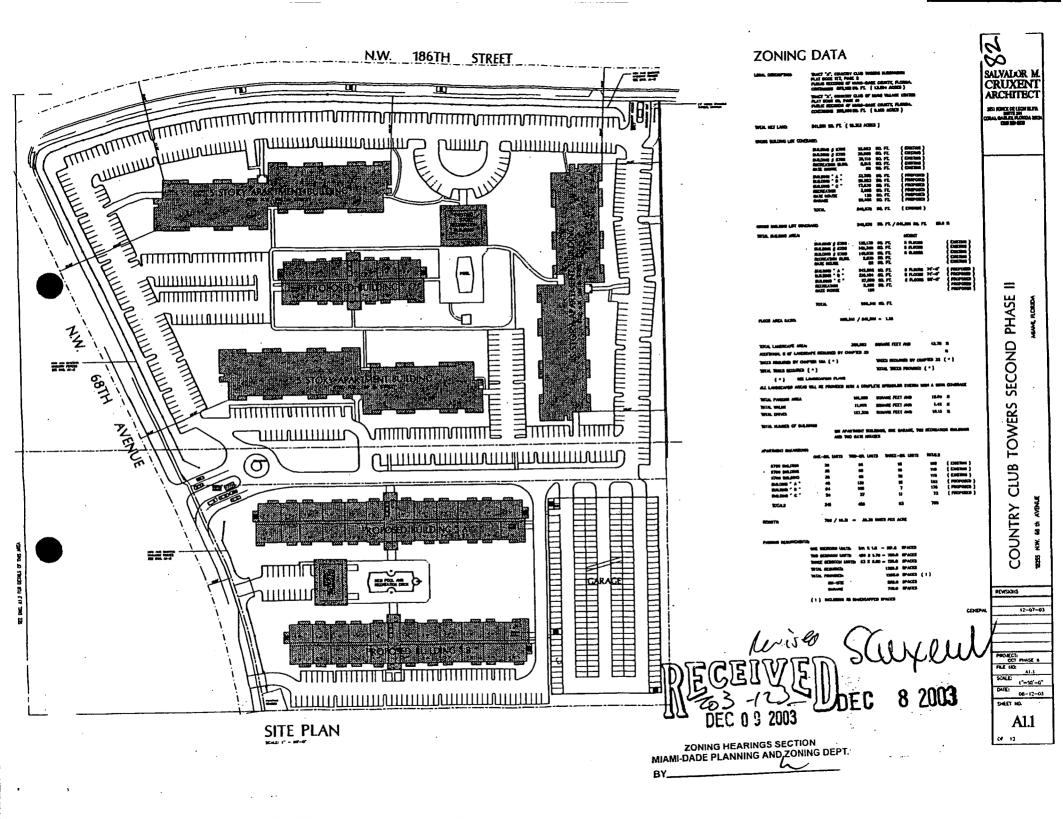
PROJECT: CCT F1WSE F FILE NO. FRE NO. SCALE: 1"=50"=0" DATE.

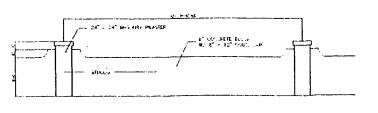
08-12-05 SHEET NO.

**A1.1** υΓ 13









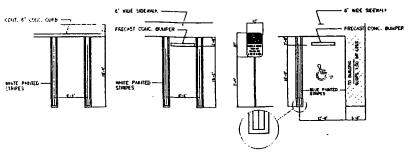
MASONRY FENCE DETAL

MICHE PROPERTY CHES FACILIS STREETS S FEET HIGH CHICAL LINE AT MILL COMER PROFERTY LINES

ນີ້ນໍານໍາຄົນໄດ້. ກ່ານຄົນຄົນໄດ້.

BICYCLE RACK DETAIL

( HUNTED MODEL BR-13 OF EDUAL )

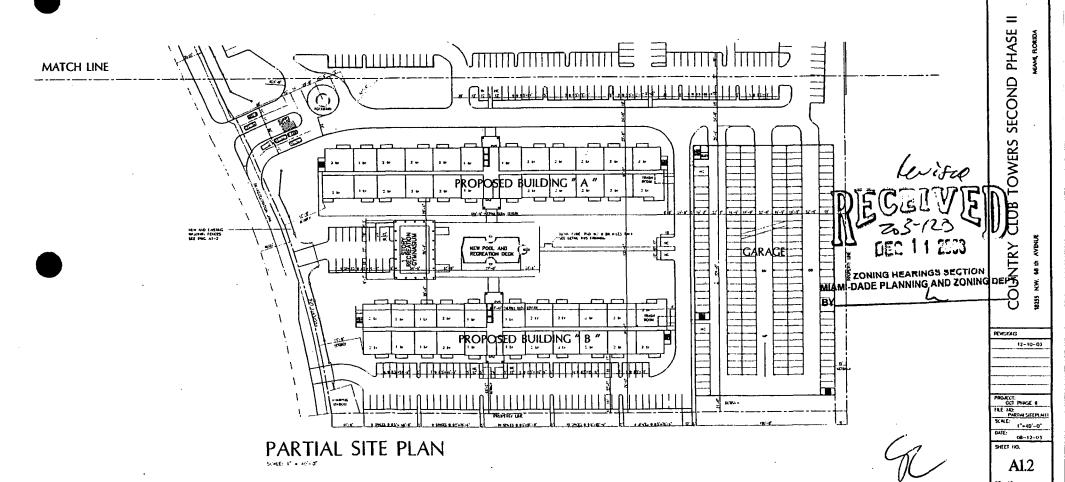


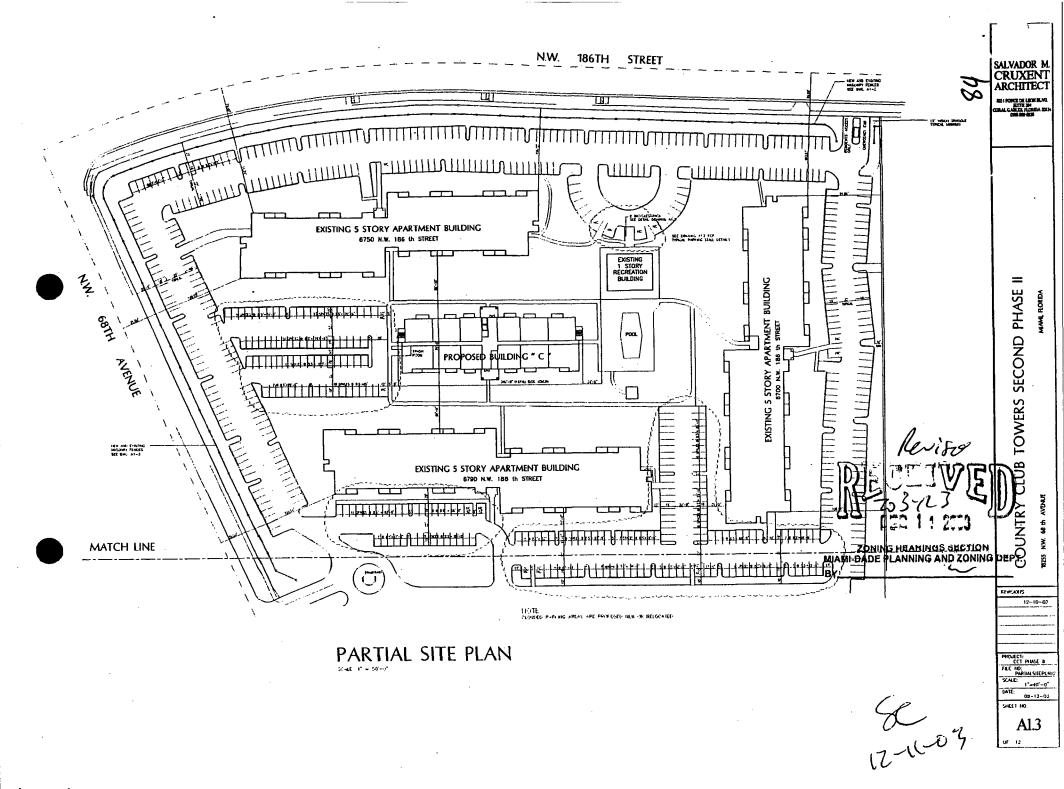
TYPICAL PARKING STALL DETAIL 1175.

HANDICAPPED PARKING STALL DETAIL HT.S.

SALVADOR M. CRUXENT ARCHITECT

ENI PONCE DE LIBON ILLYD. SLETTE SM CORAL GARLES FILONDA SILD COR SEMENS



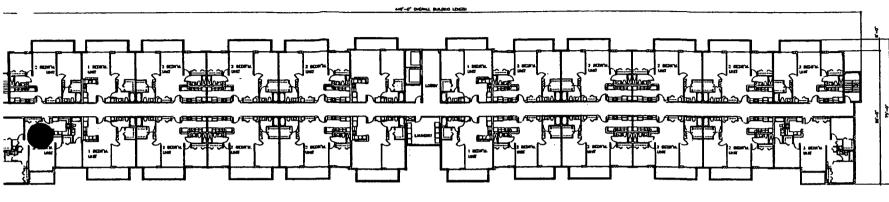


PROJECTS CIDUMTRY CLUB TOWER

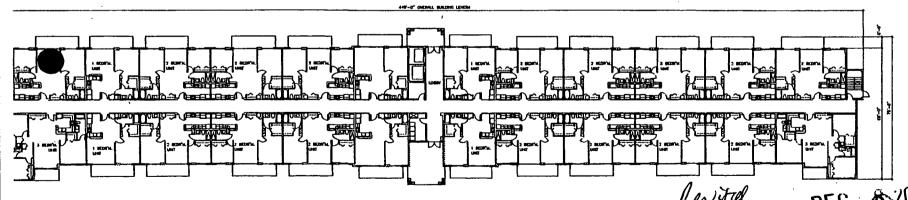
SCALE NO-14

DATE MEN 2127 NO.

A2.1



TYPICAL FLOOR PLAN - PROPOSED BUILDING " A "



GROUND FLOOR PLAN - PROPOSED BUILDING " A "

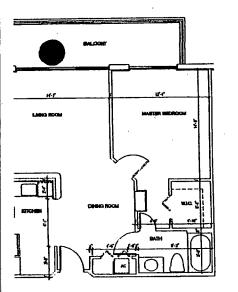
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.



COUNTRY CLUB TOWERS SECOND PHASE II

INT.Y IEROPES

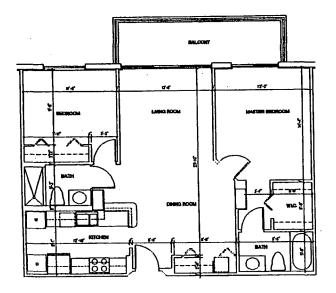
LETS MO TOURS CURLLICA COTTIN ALIANDES MOUTETLE SCALE INT-FE DATE -----SHEET NO. A3.1

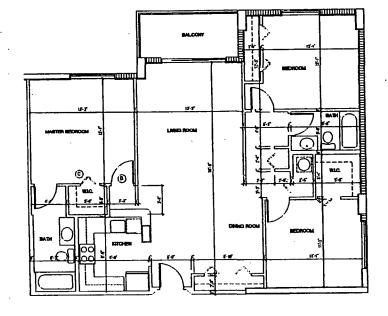


FLOOR PLAN MODEL "A"

SCALE: WF + TO

ONE BEDROOM 745 SF.





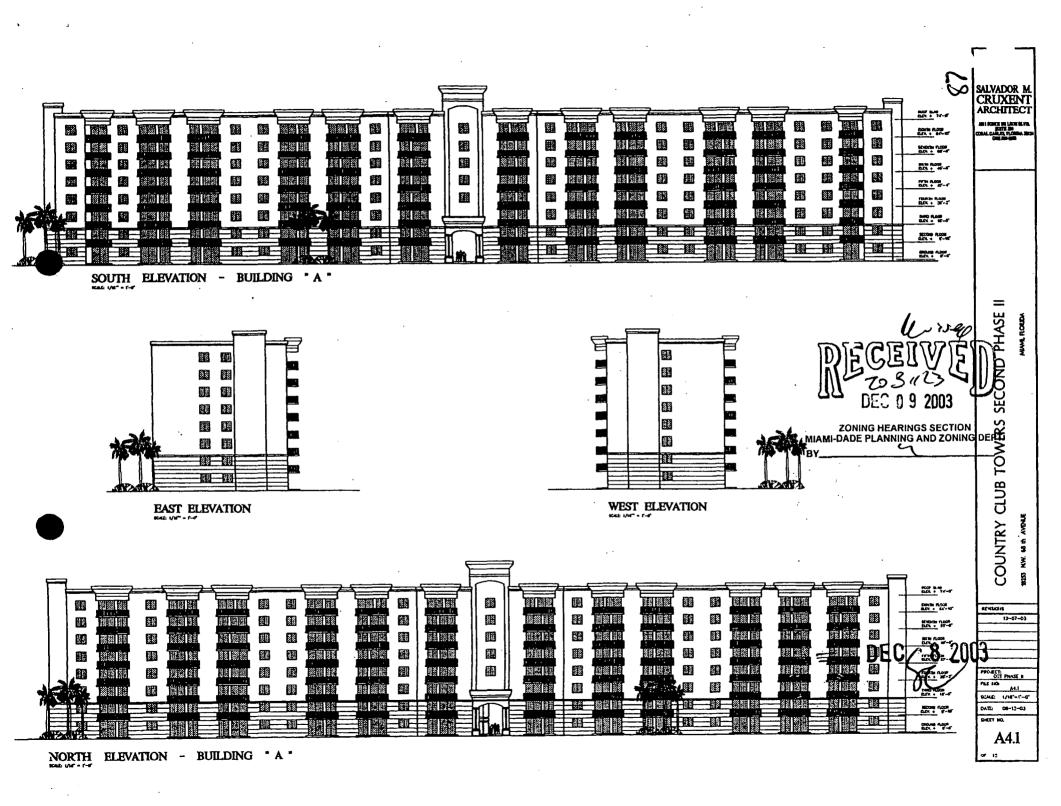
TYPICAL FLOOR PLAN MODEL "B" SCALE: 14° = 10°

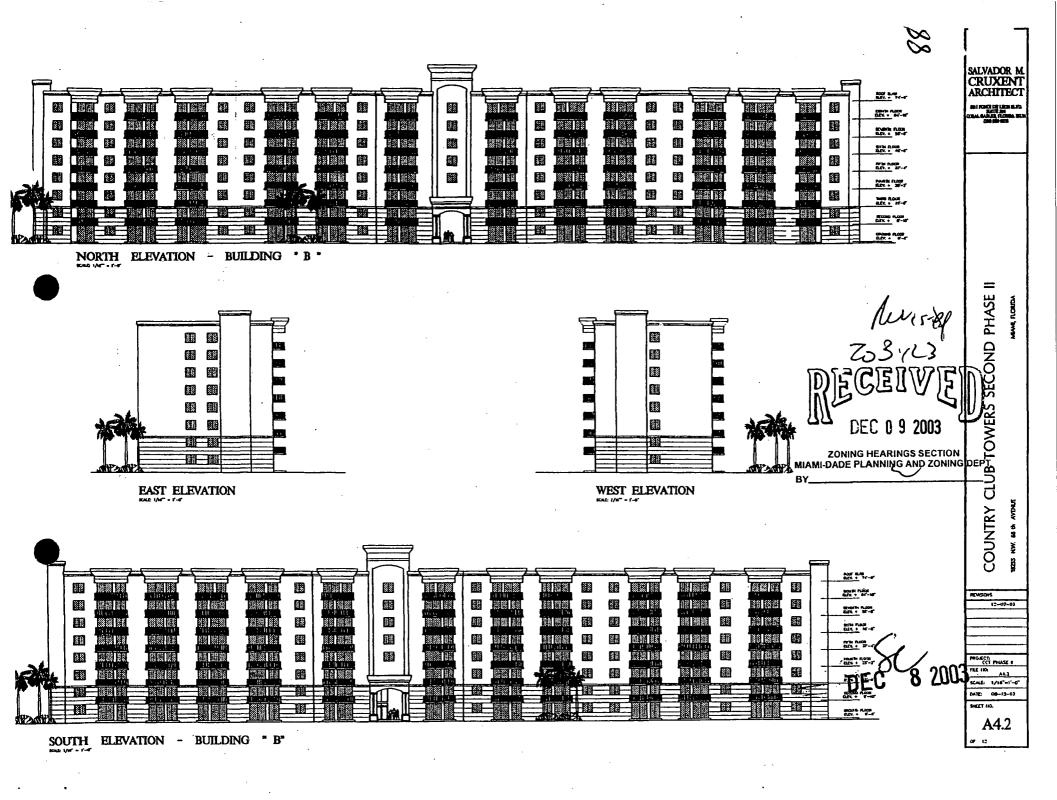
TYPICAL FLOOR PLAN MODEL "C" THREE BEDROOM LIN'S SE. SCALE: V4" = 14"

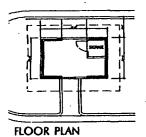
lerisa	DEC 8
RECEIVED SOLVE	ZED 003

RΥ

ZONING HEARINGS SECTION MIAMI-DADE PLANNING AND ZONING DEPT.





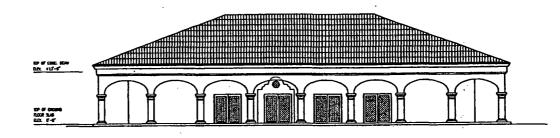


D HOUSE DETAILS

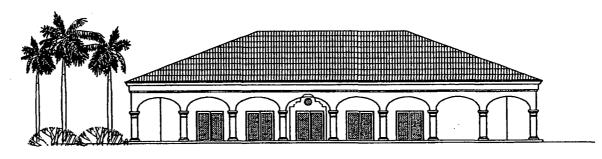




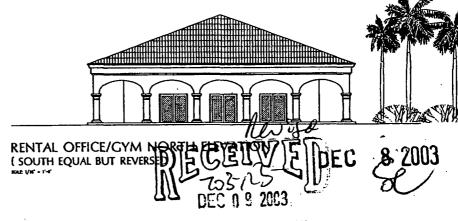




RENTAL OFFICE/GYM EAST ELEVATION



RENTAL OFFICE/GYM WEST ELEVATION



ZONING HEARINGS SECTION MIAMI-DADE PLANNING AND ZONING DEP

SALVADOR M. CRUXENT ARCHITECT

COUNTRY CLUB TOWERS SECOND PHASE

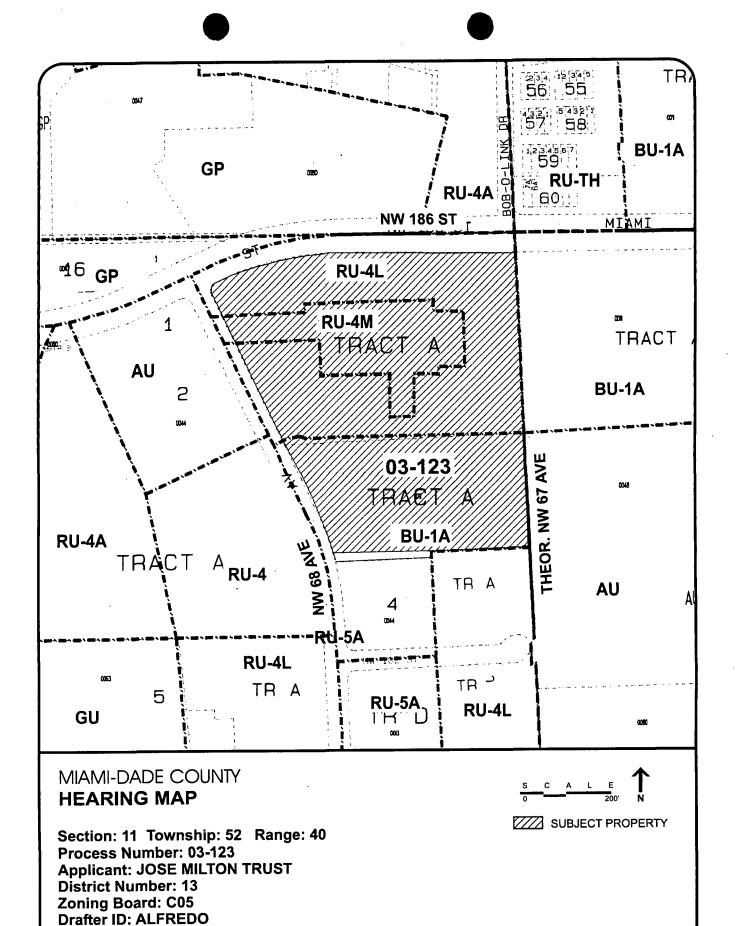
12-07-03

PROJECT: CCT PHASE B UE IN

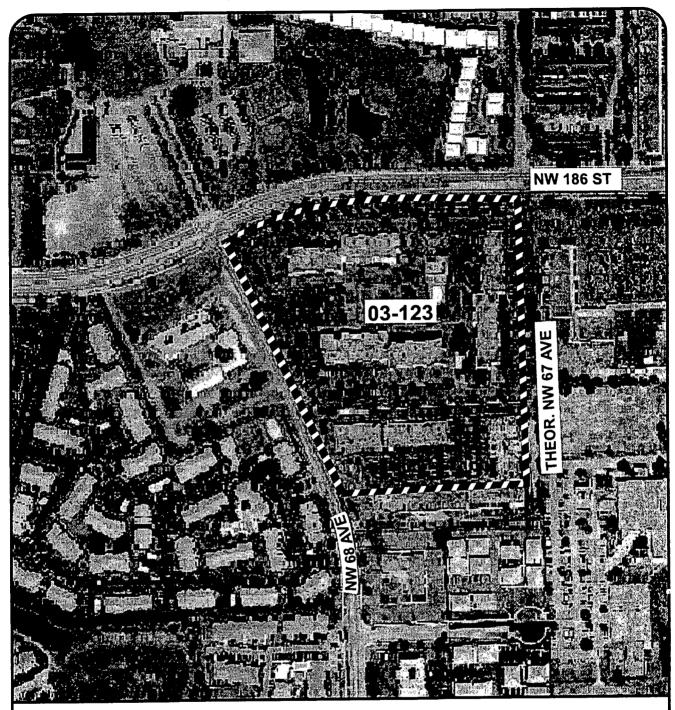
SCALE: 1/8"=1"-6" DATE: 08-12-03

A5.2

SHEET IN.



Scale: 1:300'



### MIAMI-DADE COUNTY

#### **AERIAL**

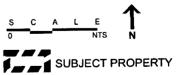
Section: 11 Township: 52 Range: 40

Process Number: 03-123

**Applicant: JOSE MILTON TRUST** 

District Number: 13 Zoning Board: C05 Drafter ID: ALFREDO

Scale: NTS





## 1. JOSE MILTON TRUST (Applicant)

04-2-CZ5-1 (03-123) Area 5/District 13 Hearing Date: 2/26/04

Property Owner (if different from applicant) Same.

Is there a	n optio	on to	pur	chase	leas	e 🗆 th	e property	y predicated	on	the	approval	of the	e zoning
request?	Yes		No										

Disclosure of interest form attached? Yes ☑ No □

### **Previous Zoning Hearings on the Property:**

<u>Year</u>	<b>Applicant</b>	Request	<b>Board</b>	<b>Decision</b>
1966	Bailey	- Zone change AU to RU-4L, BU-1A, and RU-5A.	BCC	Modified Approval
1971	Country Club of Miami Corp.	<ul> <li>Zone change from BU-1A to RU-4M.</li> <li>Zone change from BU-1A to RU-4L.</li> <li>Special exception to permit mult-fam. development.</li> </ul>	всс	Approved w/conds.
1974	American Housing System Corp.	<ul> <li>Variance density to permit more units per acre.</li> <li>Modif. condition.</li> <li>Special exception to permit development with higher height.</li> </ul>	BCC	Approved in part
1976	Robert Quest	Use variance liquor store in BU-1A spaced less than required from a religious facility an school.	BCC	Approved w/conds.
1985	Jose Milton	Modif. condition density of units per acre.	ZAB	Approved
1988	Edward McCarthy as Archbishop of Miami	<ul><li>Use variance religious facility.</li><li>RU-3 use in BU-1A.</li><li>Variance parking spaces to be less than required.</li></ul>	BCC	Approved w/conds.

Action taken today does not constitute a final development order, and one or more concurrency determinations will subsequently be required. Provisional determinations or listings of needed facilities made in association with this Initial Development Order shall not be binding with regard to future decisions to approve or deny an Intermediate or Final Development Order on any grounds.

## DEVELOPMENTAL IMPACT COMMITTEE RECOMMENDATION TO COMMUNITY ZONING APPEALS COUNCIL No. 5

APPLICANT: Jose Milton, Tr.

PH: 03-123

**SECTION: 11-52-40** 

DATE: February 26, 2004

COMMISSION DISTRICT: 12

ITEM NO.: 1

#### A. INTRODUCTION

#### • REQUESTS:

1. BU-1A to RU-4

#### REQUEST #1 ON THE SOUTHERN TRACT

- 2. UNUSUAL USE for entrance features to wit: gated entrances, guardhouses and a decorative fountain.
- 3. Applicant is requesting to permit 39 street trees (49 required), 189 lot trees (541 required) and 4,823 shrubs (5,900 required).

#### REQUESTS #2 & #3 ON THE NORTHERN AND SOUTHERN TRACTS

4. MODIFICATION of Condition #3 of Resolution Z-190-71, passed and adopted by the Board of County Commissioners and last modified by Resolution 4-ZAB-98-85, passed and adopted by Zoning Appeals Board, reading as follows:

FROM: "3. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Apartments Conversion for Country Club Towers', as prepared by Salvador M. Cruxent, Architect, dated 12-20-84, and consisting of 3 pages."

TO: "3. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Country Club Towers Second Phase II', as prepared by Salvador M. Cruxent, consisting of 12 sheets — Sheets A1.1 & A1.2 dated last revised 01/08/04, A1.3 through A5.2 dated last revised 1/6/04 and landscape plans entitled 'Phase II Country Club Towers Apartment Complex,' as prepared by EGS2 Corp., consisting of 5 sheets, dated signed and sealed 1/6/04.

The purpose of this request is to permit the applicant to submit new site plans for a residential apartment development.

5. DELETION of Three Agreements as recorded in Official Records Book 7397, Pages 597 through 603, Official Records Book 7397, Pages 604 through 609 and Official Records Book 7397, Pages 620 through 625.

The purpose of this request is to allow the applicant to release the aforementioned agreements from the subject property which tied the residential parcel to a site plan.

#### REQUESTS #4 & #5 ON THE NORTHERN PARCEL

Upon a demonstration that the applicable standards have been satisfied, approval of requests #3 & #4 may be considered under §33-311(A)(15) (Alternative Site



Development Option for Multiple-Family Use) and approval of requests #5 & #6 may be considered under §33-311(A)(17) (Modification or Elimination of Conditions or Covenants After Public Hearing).

The aforementioned plans are on file and may be examined in the Zoning Department. Plans may be modified at public hearing.

#### **SUMMARY OF REQUESTS:**

The applicant is requesting a district boundary change from BU-1A, Limited Business District, to RU-4, High Density Apartment House District, on a 6.11-acre parcel (South Parcel) in order to permit the development of a 336 unit multi-family apartment complex. The applicant is also requesting the deletion of three agreements and a modification of previously approved plans for the 13.204-acre, RU-4L and RU-4M zoned property (North Parcel) in order to submit revised plans indicating the development of said parcel with an additional 84-unit, multi-family apartment building (320 currently existing) and showing pedestrian and auto connections between the North and South parcels. The applicant is also requesting an unusual use to permit entrance features and a fountain, and a non-use variance of street tree, lot tree and shrub requirements. The subject property consists of approximately 19.314 acres and is located on the southeast corner of NW 68 Avenue and NW 186 Street. If approved, the total number of units on the property would be 740.

o LOCATION: Southwest corner of NW 68 Avenue and NW 186 Street, Miami-Dade County.

o SIZE: 19.3 Acres

#### o <u>IMPACT:</u>

The proposed rezoning would allow the applicant to provide additional housing in the area, however, said uses would bring additional traffic and activity to the surrounding community and would impact public services.

#### **B. ZONING HEARINGS HISTORY:**

In 1966, pursuant to Resolution Z-50-66, the Board of County Commissioners (BCC) approved a zone change from AU, Agriculture District, to RU-4L, Limited Apartment House District, BU-1A, Limited Business District, and RU-5A, Semi-Professional Office District. In 1971, pursuant to Resolution Z-190-71, the BCC approved a zone change from BU-1A to RU-4M, Modified Apartment House District and RU-4L along with a special exception to permit site plan approval for a multiple-family development. In 1974, pursuant to Resolution Z-255-74, the BCC approved a use-variance to permit a density of 24.54 units per acre where 23 units per acre is permitted along with a special exception to permit a development with 5 stories where 4 stories is permitted and a height of 51' where 50' is permitted. In 1985, pursuant to Resolution 4-ZAB-98-85, the Zoning Appeals Board approved a modification to a previous Resolution and a use-variance to permit 30.9 units per acre.

#### C. NEIGHBORHOOD CHARACTERISTICS:

SUBJECT PROPERTY EXISTING ZONING DESIGNATION

BU-1A, RU-4L and RU4M, apartments and Mediur
shopping center units p

Office/Residential (6.108 acres) and Medium Density, 13 to 25 dwelling units per gross acre (13.204 acres)

#### **SURROUNDING PROPERTY**

NORTH RU-4A, 2-story Business and Office

apartments, Country Club of Miami Golf

Course

**SOUTH** BU-1A and RU-4L, Office/Residential

church and 2-story

apartments

EAST BU-1A and AU, shopping Business and Office and Medium

center and school Density, 13 to 25 units per gross

acre

WEST AU and RU-4, church Medium-High Density, 25 to 60

and 2-story townhouses dwelling units per gross acre and Medium Density, 13 to 25 dwelling

units per gross acre

The subject property is located in the Country Club of Miami area of Miami-Dade County. The site is surrounded by multi-family developments consisting of 2-story apartments and 2-story townhouses. However, some 5-story apartment buildings are concentrated along NW 186 Street, between NW 67 Avenue and NW 77 Avenue.

#### D. SITE AND BUILDINGS:

Scale/Utilization of Site: Acceptable

Location of Buildings: Acceptable Compatibility: Acceptable

Landscape Treatment: Acceptable

Open Space: Acceptable
Buffering: Acceptable
Access: Acceptable

Parking Layout/Circulation: Acceptable

Visibility/Visual Screening: Acceptable Energy Considerations: N/A

Roof Installations: N/A
Service Areas: N/A
Signage: N/A

Urban Design: Acceptable

f

#### E. PERTINENT REQUIREMENTS/STANDARDS:

The Board shall hear and grant or deny applications for **district boundary changes** taking into consideration that same must be consistent with the CDMP, with applicable area or neighborhood studies or plans, and would serve a public benefit. The Board shall take into consideration if the proposed development will have a favorable or unfavorable impact on the environmental and natural resources of Miami-Dade County, including consideration of the means and estimated cost necessary to minimize the adverse impacts, the extent to which alternatives to alleviate adverse impacts may have a substantial impact on the natural and human environment, and whether any irreversible or irretrievable commitment of natural resources will occur as a result of the proposed development. The Board shall consider if the development will have a favorable or unfavorable impact on the economy of Miami-Dade County, if it will efficiently or unduly burden water, sewer, solid waste disposal, recreation, education, public transportation facilities, including mass transit, roads, streets, and highways or other necessary public facilities which have been constructed or planned and budgeted for construction, and if the development is or will be accessible by public or private roads, street or highways.

The Board shall hear an application for and grant or deny special exceptions; that is, those exceptions permitted by regulations only upon approval after public hearing, new uses and unusual uses which by the regulations are only permitted upon approval after public hearing; provided the applied for exception or use, including exception for site or plot plan approval, in the opinion of the Community Zoning Appeals Board, would not have an unfavorable effect on the economy of Miami-Dade County, Florida, would not generate or result in excessive noise or traffic, cause undue or excessive burden on public facilities, including water, sewer, solid waste disposal, recreation, transportation, streets, roads, highways or other such facilities which have been constructed or which are planned and budgeted for construction, are accessible by private or public roads, streets or highways, tend to create a fire or other equally or greater dangerous hazards, or provoke excessive overcrowding or concentration of people or population, when considering the necessity for and reasonableness of such applied for exception or use in relation to the present and future development of the area concerned and the compatibility of the applied for exception or use with such area and its development.

Section 33-311(A)(4)(b)-Non-Use Variances from other than Airport Regulations. Upon appeal or direct application in specific cases, the Board shall hear and grant applications for non-use variances from the terms of the zoning and subdivision regulations and may grant a non-use variance upon a showing by the applicant that the non-use variance maintains the basic intent and purpose of the zoning, subdivision and other land use regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community and provided that the non-use variance will be otherwise compatible with the surrounding land uses and would not be detrimental to the community. No showing of unnecessary hardship to the land is required.

Section 33-311(A)(4)(c) - Alternative Non-Use Variance Standard. Upon appeal or direct application in specific cases to hear and grant applications for non-use variances from the terms of the zoning and subdivision regulations, upon a showing by the applicant that the variance will not be contrary to the public interest, where owing to special conditions, a literal enforcement of the provisions thereof will result in unnecessary hardship, and so the spirit of the regulations shall be observed and substantial justice done; provided, that the non-use variance will be in harmony with the general purpose and intent of the regulation, and that the same is the minimum non-use variance that will permit the reasonable use of the premises; and further provided, no non-use variance from any airport zoning regulation shall be granted under this subsection.

Section 33-311(A)(7) - The Board shall hear applications to modify or eliminate any condition or part thereof which has been imposed by any final decision adopted by resolution, provided, that the appropriate Board finds after public hearing that the modification or elimination, in the opinion of the Community Zoning Appeals Board, would not generate excessive noise or traffic, tend to create a fire or other equally or greater dangerous hazard, or provoke excessive overcrowding of people, or would not tend to provoke a nuisance, or would not be incompatible with the area concerned, when considering the necessity and reasonableness of the modification or elimination in relation to the present and future development of the area concerned.

Section 33-311(A)(17), Modification or Elimination of Conditions and Covenants After Public Hearing. The Community Zoning Appeals Board shall approve applications to modify or eliminate any condition or part thereof which has been imposed by any zoning action, and to modify or eliminate any restrictive covenants, or parts thereof, accepted at public hearing, upon demonstration at public hearing that the requirements of at least one of the paragraphs under this section has been met. Upon demonstration that such requirements have been met, an application may be approved as to a portion of the property encumbered by the condition or the restrictive covenant where the condition or restrictive covenant is capable of being applied separately and in full force as to the remaining portion of the property that is not a part of the application, and both the application portion and the remaining portion of the property will be in compliance with all other applicable requirements of prior zoning actions and of this chapter.

#### F. NEIGHBORHOOD SERVICES:

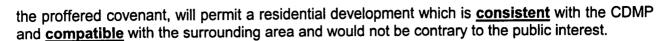
No objection DERM No objection Public Works No objection Parks No objection MDTA No objection Fire Rescue No objection Police See Exhibit "A" Schools No objection Planning and Zoning

#### G. RECOMMENDATION:

Approval with conditions of requests #1,2,4 and 5, subject to the Board's acceptance of the proffered covenant and subject to a reduction of 4 units on the north parcel for a total of 736 units on the subject property. Said covenant, which among other things, provides that the development of the subject site be substantially in accordance with the submitted site plan and provides that the owners will purchase Severable Use Rights to effectuate the approved site plan if necessary.

#### Withdrawal of request #3.

The Executive Council is of the opinion that the proposed zone change on the south parcel will be in keeping with the Comprehensive Development Master Plan (CDMP) Office/Residential designation for that parcel and with the Medium Density Residential designation on the north parcel. In addition, the Council found that the approval will not be contrary to the public interest, is in keeping with the spirit of the regulations, and will permit the reasonable use of the premises. When considering the overall intention of the CDMP, and the goals, objectives and policies of same, the current proposal helps to meet a public need, is adjacent to mass transit, provides much needed affordable housing, and is located adjacent to an activity node where these uses are encouraged. As such, the Executive Council finds that this application, with the acceptance of

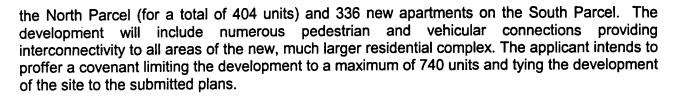


#### PROJECT DESCRIPTION

The northerly 13.204-acre portion of the subject property (North Parcel) is currently zoned RU-4M and RU-4L and is developed with a 320-unit residential complex consisting of three, 5-story apartment buildings. In 1985, said portion of the subject parcel received a use variance and site plan approval permitting the conversion of the 320 previously approved residential units to 400 residential units, and a use variance request to permit a density of 30.9 units per acre to allow the additional 80 units. Staff notes that mathematically the 30.9 units per acre density would theoretically permit 88 additional units for a total of 408 units. However, the approved density was limited to the additional 80 units for a total of 400 units in order to allow the existing oversized The applicant's letter of intent apartments to be converted into smaller rentable units. represented that the application was for interior modifications only to convert 3-bedroom apartments which were virtually impossible to rent into 1 and 2 bedroom and studio units resulting in the same number of bedrooms (565), and no exterior building alterations were contemplated at that time. Staff notes, however, that the 80-unit conversion did not take place subsequent to the 1985 public hearing and the use variance has not been utilized. As part of the modification request for this hearing and according to the currently submitted site plan, the applicant proposes to develop 84 additional units for a total of 404 units (at a density of 30.6 units per acre) and a total of 753 bedrooms. The proposed plans indicate the construction on the North Parcel of a new 6-story apartment building. Staff notes that the 1985 Resolution did not rely on the exact mathematical calculation of the 30.9 unit density (which would have allowed a total of 88 units), and only approved an additional 80 units.

The southerly 6.11 acres of the subject property (South Parcel) is zoned BU-1A and currently developed with a retail complex known as the Country Club of Miami Village Center. As part of the rezoning of this portion of the subject property to RU-4 and in accordance with the submitted site plan, the applicant will demolish the existing decayed retail center and redevelop the site with 336 residential units in two, 6-story apartment towers and a detached parking garage.

The site plan submitted for the entire 19.314-acre property indicates a multi-family development consisting of three existing, 5-story apartment buildings, and three proposed 6-story apartment buildings with a 4-level parking garage. The existing apartment buildings located on the North Parcel are currently comprised of three rectangularly shaped buildings arranged around a landscaped courtyard fitted with a 1-story recreation building and swimming pool. A new 6-story building will be added to the courtyard to form part of the existing complex. Parking for the existing and new buildings is located along the entire perimeter of the parcel. On the South Parcel, two apartment towers, also 6-stories in height, are arranged parallel to each other with a multi-level parking garage flanking both buildings. A new 1-story gymnasium and swimming pool is placed between the apartment buildings and includes 17 parking spaces to serve people visiting the complex or using the recreation building. The applicant is also proposing a clubhouse facility and a small convenience store that will only serve residents of the complex. Additional parking for residents and visitors to the apartment buildings will be available in a parking lot that is located along the site's south property line. Access into the development occurs off a gated entrance feature located adjacent to NW 68 Avenue. Once inside, a boulevard provides access to the parking area for the existing 5-story apartment buildings and the new 6-story apartment buildings, and to the proposed parking garage. A second entrance into the residential complex is provided off NW 186 Street but will only be utilized by residents of the multifamily facility. If developed, the unified 19.314-acre multi-family parcel will consist of a total of 740 apartment units made up of the 320 existing apartments and a new 6-story 84-unit apartment building located on



#### **COMMENTS AND MAJOR CONCERNS**

Ordinance Number 75-47 charges the Developmental Impact Committee (DIC) to address applications with respect to: (I) conformance with all applicable plans; (II) environmental impact; (III) impact on the economy; (IV) impact on essential services; and (V) impact on public transportation facilities and accessibility.

The following comments address these specific charges with regard to the subject application:

#### I. CONFORMANCE WITH ALL APPLICABLE PLANS

#### A. RELEVANCE TO THE COMPERHENSIVE DEVELOPMENT MASTER PLAN

#### <u>APPLICABLE CDMP GOALS, OBJECTIVES AND POLICIES</u>

#### Land Use Objective 3

Assist the private sector in providing affordable housing products in sufficient numbers throughout the County by the year 2015, (approximately 272,000 units), keeping in mind the housing needs of existing and future residents as well as making an appropriate percentage (about 49 percent) of new affordable housing available to very low, low and moderate income residents.

#### Land Use Objective 5

Upon the adoption of this plan, all public and private activities regarding the use, development and redevelopment of land and the provision of urban services and infrastructure shall be consistent with the goal, objectives and policies of this Element, with the adopted Population Estimates and Projections, and with the future uses provided by the adopted Land Use Plan (LUP) map and accompanying text titled "Interpretation of the Land Use Plan Map", as balanced with the Goals, Objectives and Policies of all Elements of the Comprehensive Plan.

#### **Land Use Element Goal**

Provide the best possible distribution of land use and services to meet the physical, social, cultural, and economic needs of the present and future populations in a timely and efficient manner that will maintain or improve the quality of the natural and man-made environment and amenities, and preserve Miami-Dade County's unique agricultural lands.

#### Land Use Policy 2A

All development orders authorizing new, or significant expansion of existing, urban land uses shall be contingent upon the provision of services at or above the Level of Service (LOS) standards specified in the Capital Improvements Element (CIE).

#### Land Use Policy 5B

All development orders authorizing a new land use or development, or redevelopment, or significant expansion of an existing use shall be contingent upon an affirmative finding that the development or use conforms to, and is consistent with the goals, objectives and policies of the CDMP including the adopted LUP map and accompanying "Interpretation of the Land Use Plan Map". The Director of the Department of Planning and Zoning shall be the principal administrative interpreter of the CDMP.

#### Land Use Policy 1C

Miami-Dade County shall give priority to infill development on vacant sites in currently urbanized areas, and redevelopment of substandard or underdeveloped environmentally suitable urban areas contiguous to existing urban development where all necessary urban services and facilities are projected to have capacity to accommodate additional demand.

#### Land Use Policy 2C

Foster a diversity of affordable housing types within areas by the County's Comprehensive Development Master Plan to include single-family detached housing single-family attached and duplex housing, multi-family housing and mobile or manufactured homes.

#### Land Use Policy 1G

To promote housing diversity and to avoid creation of monotonous developments, Miami-Dade County shall vigorously promote the inclusion of a variety of housing types in all residential communities through its area planning, zoning, subdivision, site planning and housing finance activities, among others. In particular, Miami-Dade County shall review its zoning and subdivision practices and regulations and shall amend them, as practical, to promote this policy.

#### Land Use Element I-45

The entire unincorporated area within the UDB is eligible to receive and utilize Severable Use Rights (SURs) in accordance with provisions of Chapter 33-B Code of Metropolitan Dade County. Accordingly, certain developments as specified in Chapter 33-B may be entitled to density or floor area bonuses as authorized by Chapter 33-B. If the existing SUR program is modified pursuant to Land Use Element Policy 8C or other transferable development rights programs are established, all rights established by such programs shall be transferable to receiver sites inside the UDB as established in those programs.

#### Land Use Element I-24

Severable Use Rights (SURs) may be transferred to parcels within the Urban Development Boundary. When Severable Use Rights are utilized on residentially designated parcels, development will be allowed to exceed the maximum limits designated for the site or affected portions of it; however, this provision does not authorize the granting of a zoning district that, without use of SURs, would exceed the Plan density limit.

#### Land Use Policy 9C

Miami-Dade County shall continue to encourage and promote the transfer of Severable Use Rights (SURs) from lands which are allocated SURs in Chapter 33B, Code of Miami-Dade County, to land located within the Urban Development Boundary as designated on the LUP map.

#### Land Use Policy 9M

By 1998, Miami-Dade County shall develop an urban design manual establishing design guidelines. This manual shall provide additional criteria for use in review of all new residential, commercial and industrial development in unincorporated Miami-Dade County. The Adopted 2005 and 2015 Land Use Plan designates the subject property as being within the Urban Development Boundary for **Medium Density Residential**, 13 to 25 dwelling units per gross acre (13.204 acres/North Parcel) and **Office/Residential** (6.11 acres/South Parcel).

#### **Statement of Legislative Intent**

The Board recognizes that a particular application may bring into conflict, and necessitate a choice between, different goals, priorities, objectives, and provisions of the CDMP. While it is the intent of the Board that the Land Use Element be afforded a high priority, other elements must be taken into consideration in light of the Board's responsibility to provide for the multitude of needs of a large heavily populated and diverse community.

Recognizing that County Board and agencies will be required to balance competing policies and objectives of the CDMP, it is the intention of the County Commission that such boards and agencies consider the overall intention of the CDMP as well as portions particularly applicable to a matter under consideration in order to ensure that the CDMP, as applied will protect the public health, safety and welfare.

#### Land Use Element I-20.1

The CDMP text describes each land use category shown on the Land Use Plan (LUP) map, and explains how each category and the Map are to be interpreted and used. Adherence to the LUP map and this text is a principal, but not the sole, vehicle through which many of the goals, objectives and policies of all elements of the CDMP are implemented.

#### Land Use Element I-21

Intersections of section line roads shall serve as focal points of activity, hereafter referred to as activity nodes. Activity nodes shall be occupied by any nonresidential components of the neighborhood including public and semi-public uses. When commercial uses are warranted, they should be located within these activity nodes. In addition, of the various residential densities which may be approved in a section through density averaging or on an individual site basis, the higher density residential uses should be located at or near the activity nodes.



Areas abutting and adjacent to activity nodes should serve as transition areas suitable for eligible higher residential densities, public and semi-public uses including day care and congregate living uses.

#### **Land Use Element Concepts**

Rejuvenate decayed areas by promoting redevelopment, rehabilitation, infilling and the development of activity centers containing a mixture of land uses.

Promote development of concentrated activity centers of different sizes and character to provide economies of scale and efficiencies of transportation and other services for both the public and private sectors.

Redirect higher density development towards activity centers or areas of high countywide accessibility.

#### **Housing Element Goal II**

Identify and provide more affordable housing opportunities from within the existing housing stock and ensure its efficient use through rehabilitation, infill development, and adaptive conversion of non-residential structures to housing use throughout Dade County.

#### **Housing Element Policy 2C**

Foster a diversity of affordable housing types within areas defined by the County's Comprehensive Development Master Plan to include single-family detached housing, single-family attached and duplex housing, multi-family housing and mobile or manufactured homes.

#### **Housing Element Objective 3**

Assist the private sector in providing affordable housing products in sufficient numbers throughout the County by the year 2015, (approximately 272,000 units), keeping in mind the housing needs of existing and future residents as well as making an appropriate percentage (about 49 percent) of new affordable housing available to very low, low and moderate income residents.

#### **Housing Element III-1**

This Element addresses needs that must be met primarily by the private sector. Housing is different. Local governments today build little or no new housing. Instead they provide plans, programs, and development regulations (zoning, building codes, etc.) to guide the private sector in the development of new housing.

#### **Transportation Element 4A**

Dade County, with private sector assistance, shall provide mass transit service appropriate for the mix and intensity of development of urban centers identified in the Land Use Element.

#### **Transportation Element 5D**

The County shall promote increased affordable housing development opportunities within proximity to areas served by mass transit.

#### **Land Use Element Policy 7C**

New residential and non-residential developments, subdivisions and replats shall provide for buildings that front the transit street, or provide streets or pedestrian connections that intersect with the transit street in close proximity to bus stops not more than 700 feet apart and, as appropriate, shall provide for new bus stops and/or pullouts.

#### Land Use Element I-1

The Land Use Element is at the same time both reactive and proactive. It not only reflects previously adopted plans and established land use and zoning patterns, it also establishes the County's policy regarding future zoning and land use patterns. Similarly, while it reflects existing urban service capacities and constraints, it also establishes locations where future service improvements will have to follow. It also both reflects, and seeks to promote, activity in the private land market. Recent development trends are carefully considered, however, the Land Use Element endeavors to assert County influence on locations and intensity of future development activity.

#### **Medium Density Residential**

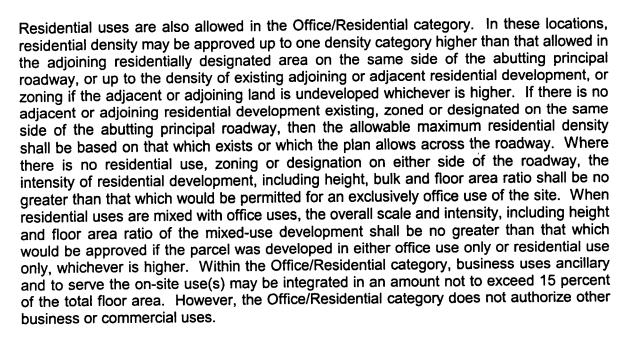
This category allows densities from 13 to 25 dwelling units per gross acre. The type of housing structures typically permitted in this category include townhouses and low-rise and medium-rise apartments.

#### **Medium-High Density Residential**

This category authorizes apartment buildings ranging from 25 to 60 dwelling units per gross acre. In this category, the height of buildings and, therefore, the attainment of densities approaching the maximum, depends to a great extent on the dimensions of the site, conditions such as location and availability of services, ability to provide sufficient off-street parking, and the compatibility with and the impact of the development on surrounding areas.

#### Office/Residential

Uses allowed in this category include both professional and clerical offices, hotels, motels, and residential uses. Office developments may range from small-scale professional office to large-scale office parks. A specific objective in designing developments to occur in this category is that the development should be compatible with any existing, zoned, or Plandesignated adjoining or adjacent residential uses. The maximum scale and intensity, including height and floor area ratio of office, hotel and motel development in areas designated Office/Residential shall be based on such factors as site size, availability of services, accessibility, and the proximity and scale of adjoining or adjacent residential uses. Where the Office/Residential category is located between residential and business categories, the points of ingress and egress, should be oriented toward the business side of the site, and the residential side of the site should be designed with sensitivity to the residential area and, where necessary, well buffered both visually and acoustically.

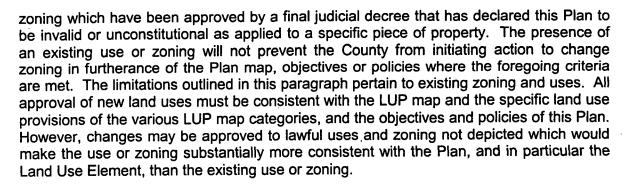


#### **Uses and Zoning Not Specifically Depicted**

Some existing uses and zoning are not specifically depicted on the LUP map. All existing lawful uses and zoning are deemed to be consistent with this Plan as provided in the section of this chapter titled "Concepts and Limitations of the Land Use Plan Map". The limitations referenced in this paragraph pertain to existing zoning districts and uses.

#### Uses and Zoning Not Specifically Depicted on the LUP Map

Within each map category numerous land uses, zoning classifications and housing types may occur. Many existing uses and zoning classifications are not specifically depicted on This is due largely to the scale and appropriate specificity of the the Plan map. countywide LUP map, graphic limitations, and provisions for a variety of uses to occur in each LUP map category. In general, 5 acres is the smallest site depicted on the LUP map, and smaller existing sites are not shown. All existing lawful uses and zoning are deemed to be consistent with this Plan unless such a use or zoning (a) is found through a subsequent planning study, as provided in Land Use Policy 4E, to be inconsistent with the criteria set forth below; and (b) the implementation of such a finding will not result in a temporary or permanent taking or in the abrogation of vested rights as determined by the Code of Metropolitan Dade County, Florida. The criteria for determining that an existing use or zoning is inconsistent with the plan are as follows: 1) Such use or zoning does not conform with the conditions, criteria or standards for approval of such a use or zoning in the applicable LUP map category; and 2) The use or zoning is or would be incompatible or has, or would have, an unfavorable effect on the surrounding area: by causing an undue burden on transportation facilities including roadways and mass transit or other utilities and services including water, sewer, drainage, fire, rescue, police and schools; by providing inadequate off-street parking, service or loading areas; by maintaining operating hours, outdoor lighting or signage out of character with the neighborhood; by creating traffic, noise, odor, dust or glare out of character with the neighborhood; by posing a threat to the natural environment including air, water and living resources; or where the character of the buildings, including height, bulk, scale, floor area ratio or design would detrimentally impact the surrounding area. Also deemed to be consistent with this Plan are uses and

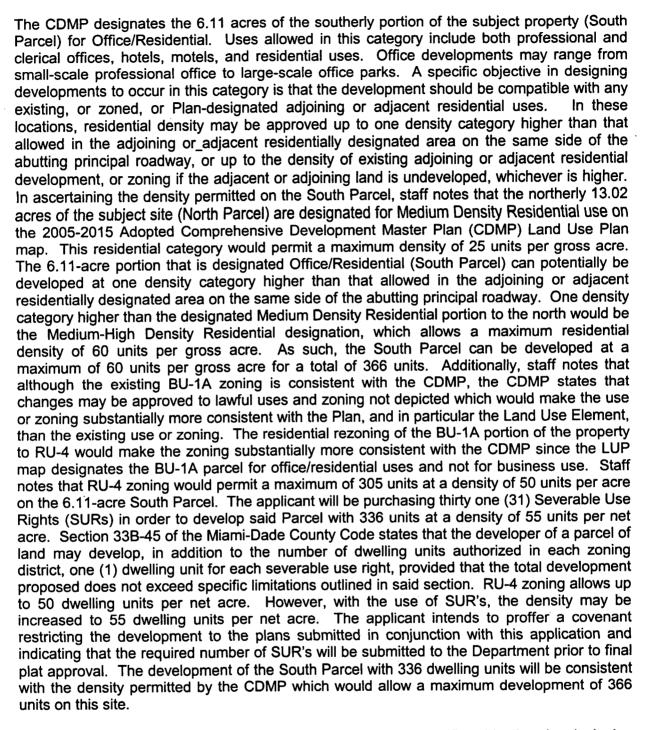


#### Other Land Uses Not Addressed

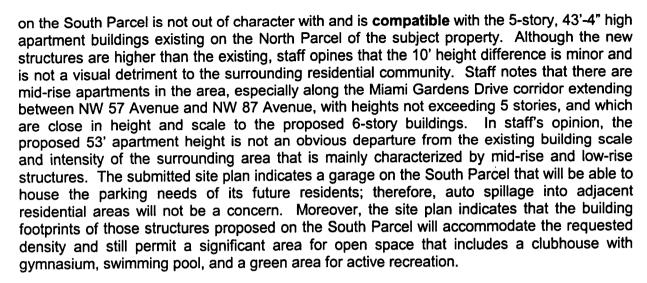
Certain uses are not authorized under any LUP map category, including many of the uses listed as "unusual uses" in the zoning code. Uses not authorized in any LUP map category may be requested and approved in any LUP category that authorizes uses substantially similar to the requested use. Such approval may be granted only if the requested use is consistent with the objectives and policies of this Plan, and provided that the use would be compatible and would not have an unfavorable effect on the surrounding area: by causing an undue burden on transportation facilities including roadways and mass transit or other utilities and services including water, sewer, drainage, fire, rescue, police and schools; by providing inadequate off-street parking, service or loading areas; by maintaining operating hours, outdoor lighting or signage out of character with the neighborhood; by creating traffic, noise, odor, dust or glare out of character with the neighborhood; by posing a threat to the natural environment including air, water, and living resources; or where the character of the buildings, including height, bulk, scale, floor area ratio or design would detrimentally impact the surrounding area. However, this provision does not authorize such uses in Environmental Protection Areas designated in this Element.

#### DEPARTMENT OF PLANNING AND ZONING DIRECTOR'S EVALUATION

This application was deferred from the November 26, 2003, the December 17, 2003, the January 14, 2004, and the February 4, 2004, meetings of the DIC Executive Council in order to give the applicant an opportunity to work with staff. The applicant, Jose Milton Trust, is requesting a zone change from BU-1A, Limited Business District, to RU-4, High Density Apartment House District, on a 6.11-acre parcel (South Parcel) in order to permit the development of a multi-family apartment complex consisting of a parking garage and two, 6story buildings housing a total of 336 residential units. In addition, the applicant is requesting the deletion of 3 agreements and a modification of previously approved plans for a 13.204acre, RU-4L and RU-4M zoned property (North Parcel) in order to submit revised plans indicating the development of said parcel with one additional 6-story apartment building containing 84 residential units (320 units currently existing) and showing pedestrian and auto connections between the North and South parcels. The applicant is also requesting an unusual use to permit entrance features, a guardhouse and a fountain, and a variance of street tree, lot tree and shrub requirements. RU-4 zoning permits the development of multifamily housing at a maximum density of 50 units per net acre, with building heights that may be proposed to any height except as controlled by the shadow provisions, floor area ratio, setbacks and airport regulations of the code. The unified multi-family development will be approximately 19.314 acres in size and is located in the southeast corner of NW 68 Avenue and NW 186 Street.



According to the Master Plan's interpretative text, a specific objective in designing developments to occur in the Office/Residential categories, in this case the South Parcel, is that the development should be compatible with any existing, zoned, or Plan-designated adjoining or adjacent residential uses. In addition, the Master Plan's Medium High Residential category authorizes apartment buildings ranging from 25 to 60 dwelling units per gross acre. In this category, the height of buildings and, therefore, the attainment of densities approaching the maximum, depends to a great extent on the dimensions of the site, conditions such as location and availability of services, ability to provide sufficient off-street parking, and the compatibility with and the impact of the development on surrounding areas. Staff is of the opinion that, as proposed, the intensity and scale of the two, 53' high 6-story towers proposed

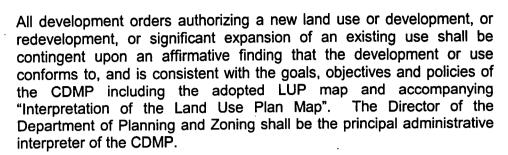


As previously mentioned, in 1985 the North Parcel was granted a modification of previously approved plans and a use variance to permit the conversion of 320 units into 400 units for a maximum of 80 additional units with no increase in bedrooms and no exterior building alterations. The applicant is currently relying on the prior density calculation of 30.9 units per net acre in order to construct 84 more units on the site (4 more than permitted in 1985). The CDMP states that all existing lawful uses and zoning are consistent with the CDMP. As such, the existing 1985 approval on the North Parcel allowing the conversion of 320 units into 400 is consistent with the CDMP. Staff notes that the Land Use Plan (LUP) map designates the North Parcel for medium density residential use which would permit a maximum of 25 dwelling units per acre. In accordance with this LUP map designation the maximum number of units permitted on this parcel would be 325. As such, the 404 units proposed by the applicant will be inconsistent with the density permitted on this site by the CDMP, unless the CDMP otherwise deems the proposal to be consistent. The CDMP states that all existing lawful uses and zoning are deemed to be consistent with the CDMP. However, changes may be approved to lawful uses and zoning not depicted which would make the use or zoning substantially more consistent with the Plan, and in particular the Land Use Element, than the existing use or zoning.

#### The CDMP text also states that:

The Board recognizes that a particular application may bring into conflict, and necessitate a choice between, different goals, priorities, objectives, and provisions of the CDMP. While it is the intent of the Board that the Land Use Element be afforded a high priority, other elements must be taken into consideration in light of the Board's responsibility to provide for the multitude of needs of a large heavily populated and diverse community.

Recognizing that County Board and agencies will be required to balance competing policies and objectives of the CDMP, it is the intention of the County Commission that such boards and agencies consider the overall intention of the CDMP as well as portions particularly applicable to a matter under consideration in order to ensure that the CDMP, as applied will protect the public health, safety and welfare.



The Land Use Plan map of the CDMP is a framework indicating the large-scale pattern of future land use in the metropolitan area. The land use pattern indicated on the Plan map is very detailed from a countywide perspective. However, the map does not specifically depict each and every individual occurrence of land use and zoning throughout the hundreds of neighborhoods which comprise Dade County; each of the land use categories indicated on the LUP map contains dominant uses, ancillary uses and secondary uses. The land use categories used on the LUP map are necessarily broad, and there are numerous instances where existing uses and parcels zoned for a particular use, are not specifically depicted on the Land Use Plan map. This is due largely to graphic limitations.

The CDMP text describes each land use category shown on the Land Use Plan (LUP) map, and explains how each category and the Map are to be interpreted and used. Adherence to the LUP map and this text is a principal, but not the sole, vehicle through which many of the goals, objectives and policies of all elements of the CDMP are implemented.

In adopting the CDMP the Board of County Commissioners recognized the limitation of the LUP map. As such, the densities allowed by the LUP map are not the sole guide for determining consistency. Staff must consider all the pertinent language in the text and the "overall" intention of the CDMP in order to make an affirmative finding of consistency.

In analyzing this application, staff recognizes that the property is located within a transition area adjacent to an activity node (see attached Exhibit A). The CDMP text states that:

Intersections of section line roads shall serve as focal points of activity, hereafter referred to as activity nodes. Activity nodes shall be occupied by any nonresidential components of the neighborhood including public and semi-public uses. When commercial uses are warranted, they should be located within these activity nodes. In addition, of the various residential densities which may be approved in a section through density averaging or on an individual site basis, the higher density residential uses should be located at or near the activity nodes.

Areas abutting and adjacent to activity nodes should serve as transition areas suitable for eligible higher residential densities, public and semipublic uses including day care and congregate living uses.

Among the long-standing concepts embodied in Dade County's CDMP are the following:

- Rejuvenate decayed areas by promoting redevelopment, rehabilitation, infilling and the development of activity centers containing a mixture of land uses.
- Promote development of concentrated activity centers of different sizes and character to provide economies of scale and efficiencies of transportation and other services for both the public and private sectors.
- Redirect higher density development towards activity centers or areas of high countywide accessibility.

The subject site is located adjacent to an activity node and the CDMP provides that authorized higher density development, should be located at or near activity nodes, and that transition areas (where the subject site is located) are eligible for higher residential densities. In accordance with the CDMP's Housing Element, in 1995 the Department estimated a need for 1758 multi-family rental units between the years 2005 and 2015 in census tracts 101.17 and 101.18 where the subject property is located (see attached Exhibit B).

In Addition, the CDMP establishes a framework for the housing needs of the current and future population of Miami-Dade County, and in particular, addresses the need for affordable housing. The Housing Element in the text recognizes that this need must be met primarily by the private sector. Regarding housing in Miami-Dade County the text states that the County must:

Identify and provide more affordable housing opportunities from within the existing housing stock and ensure its efficient use through rehabilitation, infill development, and adaptive conversion of non-residential structures to housing use throughout Dade County.

Foster a diversity of affordable housing types within areas defined by the County's Comprehensive Development Master Plan to include single-family detached housing, single-family attached and duplex housing, multi-family housing and mobile or manufactured homes.

Assist the private sector in providing affordable housing products in sufficient numbers throughout the County by the year 2015, (approximately 272,000 units), keeping in mind the housing needs of existing and future residents as well as making an appropriate percentage (about 49 percent) of new affordable housing available to very low, low and moderate income residents.

This Element addresses needs that must be met primarily by the private sector. Housing is different. Local governments today build little or no new housing. Instead they provide plans, programs, and development regulations (zoning, building codes, etc.) to guide the private sector in the development of new housing.

The applicant is proposing the construction of an affordable housing development. Housing, especially affordable housing needs as stated in the CDMP text, must be primarily met by the private sector. Noting the increase in population growth in Miami-Dade County (1.5% per year equivalent to 30,000 people) it is the County's responsibility to guide individuals in the private sector that are willing to construct housing, especially affordable housing, to meet the needs of low and moderate-income families. The Land Use Element as well as the entire CDMP text establish the County's future zoning and land use patterns. It reflects, and seeks to promote activity in the private land market, and to influence the location and intensity of future development activity. Affordable housing must meet the growing needs of the community and the private sector must offer a variety of housing types to accommodate these needs.

This application does not seek to demolish housing structures or to contribute to the loss of the existing housing stock in this urbanized area. On the contrary, the applicant intends to build new multi-family housing to meet the needs of a growing population. The applicant can currently utilize the 1985 approval on the North Parcel and convert the existing 320 units into 400 units. However, this would require the interior demolition of existing units and the displacement of the current residents of this apartment development which is currently at 100% occupancy. When the use variance was approved in 1985, the Executive Council recognized that the proposed density was considerably higher that the CDMP limit. The Council made a finding that the higher density would create needed additional rental housing of appropriate size without adversely affecting County services.

The subject site is located within the urban development boundary and abuts Miami Gardens Drive which is served by mass transit. The residents of the affordable housing project which are transit dependent persons will benefit from the proximity of their homes to a mass transit route (bus route 38 serves this area) and there is an existing bus stop located on the northwest corner of the site. The applicant has indicated his intent to work with Miami-Dade Transit in order to provide an additional bus stop as necessary along NW 186th street or NW 68th Avenue.

#### The CDMP text states that:

The County shall promote increased affordable housing development opportunities within proximity to areas served by mass transit.

Dade County, with private sector assistance, shall provide mass transit service appropriate for the mix and intensity of development of urban centers identified in the Land Use Element.

New residential and non-residential developments, subdivisions and replats shall provide for buildings that front the transit street, or provide streets or pedestrian connections that intersect with the transit street in close proximity to bus stops not more than 700 feet apart and, as appropriate, shall provide for new bus stops and/or pullouts.

The Land Use Element is at the same time both reactive and proactive. It not only reflects previously adopted plans and established land use and zoning patterns, it also establishes the County's policy regarding future zoning and land use patterns. Similarly, while it reflects existing urban service capacities and constraints, it also establishes locations where future service improvements will have to follow. It also both reflects, and seeks to promote, activity in the private land market.

Recent development trends are carefully considered, however, the Land Use Element endeavors to assert County influence on locations and intensity of future development activity.

The development density previously approved and currently proposed on the North parcel exceeds the medium-density permitted by the LUP map designation. However, changes may be approved to lawful uses and zoning not depicted which would make the use or zoning substantially more consistent with the Plan, and in particular the Land Use Element, than the existing use or zoning. As stated by the CDMP text the Map is not the sole vehicle for determining consistency. Other elements must also be taken into consideration in order to provide for the multitude of needs within this diverse community. According to the CDMP text, staff has determined that this property is located in a transition area adjacent to an activity node where higher residential densities should be redirected. The proposed multi-family development on this site is the type of use intended for these transition areas. The CDMP states that the County must assist and guide the private sector in providing affordable housing products in sufficient numbers throughout the County, and shall promote affordable housing within proximity to areas served by mass transit. The text also requires the County to both reflect and seek to promote infilling, activity in the private land market to meet a public need, and to assert its influence on locations and intensity of future development activity. This application addresses all the goals cited above, and as such, the proposed change to the 1985 approval would make the use substantially more consistent with the CDMP. The approval of this application would permit the development of the property with a total of 740 units (336 units on the South Parcel and 404 units on the North Parcel). However, if only the request pertaining to the South Parcel is approved, the applicant can then proceed to construct 336 units on said Parcel and can still rely on the 1985 approved plan and density on the North Parcel to convert the existing 320 units into 400 units for a total of 736 units. Although staff cannot justify the additional 4 units on the North Parcel requested by the applicant, staff is of the opinion that the modification of plans permitting the previously approved 400 units on the North Parcel should be granted. The number of units is the same as that approved in 1985 (which the applicant is still entitled to use if a conversion occurs). The aforementioned approval is grandfathered since zoning approvals run with the land and is consistent with the CDMP which states that all existing uses and zoning are consistent with the CDMP.

The requests on the North Parcel seek to modify a previously approved site plan, and to eliminate 3 agreements that encumber the property. Said requests can be analyzed under Section 33-311(A)(7) of the Zoning Code that states that the Board shall hear applications to **modify or eliminate** any conditions or part thereof which has been imposed by any final decision adopted by resolution; provided, that the modification or elimination would not generate excessive noise or traffic, tend to create a fire or other equally or greater dangerous hazard, or provoke excessive overcrowding of people, or would not tend to provoke a nuisance, or would not be incompatible with the area concerned considering its present and future development. The 53' high, 6-story building that will be added to the North Parcel is able to absorb the additional residential density in a manner that still permits the preservation of areas reserved for open space and recreation. Similar to the South Parcel buildings, the 6-story residential structure proposed for the North Parcel is not out of character with the area.

The applicant has indicated that the required number of trees and shrubs will be provided at the time of development. As such, request # 3 requesting to permit less

street trees, lot trees and shrubs than required can be denied without prejudice unless withdrawn by the applicant. The unusual use request for entrance features and a fountain (request # 4) is supported by staff since it provides a focal point and identity to the development.

This application will provide much needed housing for the community, will allow a diversity of rental units, will not displace 320 families who currently reside on the property, will permit the same number of units that are currently approved on the North Parcel and will improve the appearance of the area by providing substantial landscaping. The approval will not be contrary to the public interest, is in keeping with the spirit of the regulations, and will permit the reasonable use of the premises. When considering the overall intention of the CDMP, and the goals, objectives and policies of same, the current proposal helps to meet a public need, is adjacent to mass transit, provides much needed affordable housing, and is located adjacent to an activity node where these uses are encouraged. As previously noted, if this application is approved the applicant will be permitted a total of 736 units. However, should the modification on the North Parcel not be granted the applicant can still rely on the 1985 approval which runs with the land and be permitted a total of 736 units. As such, staff is of the opinion that this application would permit a development that would be consistent with the CDMP and compatible with the area.

# B. MULTI-YEAR CAPITAL IMPROVEMENTS PROGRAM

The General Services Administration department has reviewed this application with respect to its compatibility with the County's current Capital Budget and Multi-Year Capital Plan. This plan is prepared pursuant to state growth management legislation and the Miami-Dade County code. This application does not conflict with the current plan.

# II. ENVIRONMENTAL IMPACT

### A. WATER MANAGEMENT

All stormwater shall be retained on site utilizing properly designed seepage or infiltration drainage structures. Drainage plans shall provide for full on-site retention of the stormwater runoff of a 5 year storm event. Pollution control devices shall be required at all drainage inlet structures.

A Standard General Environmental Resource Permit from DERM shall be required for the construction and operation of the required surface water management system. The applicant is advised to contact DERM in order to obtain additional information concerning permitting requirements.

Site grading and development shall comply with the requirements of Chapter 11C of the Code of Miami-Dade County. Any proposed development shall comply with county and federal flood criteria requirements. The proposed development order, if approved, will not result in a reduction in the Level of service standards for flood protection set forth in the CDMP subject to compliance with the conditions required by DERM for this proposed development order.

# B. HAZARDOUS WASTE

A review of DERM records indicates that there are no records of current or historical contamination, assessment, or remediation issues on the subject property. A search within 500 feet of the property was conducted and the following sites were identified as having current or historical contamination issues:

Dry Clean USA
18468 NW 67 Avenue
IW5-3394
Dry cleaning solvent contaminated site. Currently in a state administered cleanup program.

# C. WETLANDS

The subject property is not located in jurisdictional wetlands as defined in Chapter 24-3 and 24-58 of the Code; therefore, Class IV Permit for work in wetlands will not be required by DERM.

Notwithstanding the above, permits from the Army Corp of Engineers (USACOE), the State of Florida Department of Environmental Protection (FDEP) and the South Florida Water Management District (SFWMD) may be required for the proposed project. The applicant is advised to contact these agencies their permit procedures and requirements.

# D. TREE PRESERVATION

Section 24-60 of the Code requires the preservation of tree resources. A Miami-Dade County tree removal permit is required prior to the removal or relocation of any trees. The applicant is advised to contact DERM staff for permitting procedures and requirements.

#### Concurrency Review Summary

The Department has conducted a concurrency review for this application and has determined that the same meets all applicable LOS standards as specified in the adopted CDMP for potable water supply, wastewater disposal, and flood protection. Therefore, the application has been approved for concurrency subject to the comments and conditions contained herein.

This concurrency approval does not constitute a final concurrency statement and is valid only for this initial development order as provided for in the adopted methodology for concurrency review. Additionally, this approval does not constitute any assurance that the LOS standards would be met by any subsequent development order applications concerning the subject property.

In summary, the application meets the minimum requirement of Chapter 24 of the code and therefore, it may be scheduled for public hearing; furthermore, this memorandum shall constitute DERM's written approval as required by the Code. Additionally, DERM has also evaluated the application so as to determine its general environmental impact and after reviewing the available information offers on objection to the approval of the request.

# III. IMPACT ON THE ECONOMY

It is estimated that for a total of 740 multi-family rental units (320 units existing and 420 unit proposed) rented at \$700.00 per unit per month, the operating revenue and cost to Miami-Dade County and the School Board will be as follows:

	County	School Board	Combined
Total Revenues	\$3,432,250.	\$1, <del>4</del> 81,153.	\$4,913,403.
Total Costs	<u>2,810,639.</u>	<u>1,163,902.</u>	<u>3,974,541.</u>
Net Fiscal Impact	\$ 621,611.	\$ 317,251.	\$938,862.

The net fiscal impact of this proposal is estimated to provide a positive operating revenue to Miami-Dade County of \$621,611.00 and a net surplus of \$317,251.00 to the School Board, for a combined total for both jurisdictions of \$938,862.00.

# A. POTABLE WATER SUPPLY

The subject property is located within franchised water service area of the Miami-Dade Water & Sewer Department (MDWASD). Public water exists within the property in the form of an 8-inch network. Connection of the proposed development to the public water supply system shall be required. The applicant shall connect to an existing twenty-four (24) –in. w.m. in NW 186th St. and 68th Ave. and extend a sixteen (16)-in. w.m. southeasterly along NW 68th Ave. to the SW corner of the subject property and to be interconnected to an existing eight (8)-in. w.m. in NW 68th Ave. Any w.m. extension within the property shall be twelve (12)-in. min. in diameter with two (2) points of connection and the system shall be lopped. Existing w.m. (s) within the property shall be removed and relocated if in conflict with the proposed development. In addition, twelve (12)-ft. wide exclusive WASD's easements shall be granted to the Dept. for any existing main without a recorded easement. The estimated demand for this project is 152,00 gallons per day (gpd). This figure does not include irrigation demands.

The source of water for these mains is MDWASD's Hialeah-Preston water Treatment Plant, which has adequate capacity to meet projected demands from this project. The plant is presently producing water, which meets Federal, State, and County drinking water standards.

Existing public water facilities and services meet the Level of Service (LOS) standards set forth in the Comprehensive Development master Plan (CDMP). Furthermore, the proposed development order, if approved, will not result in a reduction in the LOS standards subject to compliance with the conditions stipulated by DERM for this proposed development order.

Notwithstanding that adequate system capacity is available for this project, DERM will require that water conserving plumbing fixtures be installed in accordance with the requirements of the South Florida Building Code in order to use more efficiently the southeast Florida water resources.

It is recommended that the landscaping conform to xeriscape concepts. Included in these concepts is use of drought tolerant plants, reduced use of turf grass together with efficient irrigation system design. Details of xeriscape concepts are set forth in the "Xeriscape Plant Guide II" from the South Florida Water management District.

# B. SEWER SERVICE

The subject property is located within the franchised water service area of Miami-Dade Water & Sewer Department (MDWASD). Public sanitary sewers abut the site in the form of a 12-inch gravity main located along the west side of the property. This system directs the flow to pump station 30-0406 located at 18201 NW 68th Ave., and then pump station 30-1310. The flow is then directed to the North District Treatment Plant. All mentioned pump stations are currently working within the mandated criteria set forth in the First Partial Consent Decree Connection of the proposed development on the site to the public sanitary sewer system will be required. The northern most part of the project is being served by a private system. The southern most part of the project can connect to an existing eight (8)-in. gravity sewer within the property, along a portion of its western boundary. Any sewer extension within the property shall be eight (8)-in. min. in diameter.

At the time of this review the sanitary sewer system has adequate collection, transmission and treatment capacity to accommodate the flows that the proposed project will generate. The wastewater flow is directed tot eh North District Sewage Treatment Plant.

Notwithstanding the foregoing, in light of the fact that the County's sanitary sewer system has limited sewer collection, transmission and treatment capacity, no new sewer service connections can be permitted, unless there is adequate capacity to handle the additional flows that this project would generate. Consequently, final development orders for this site may not be granted unless adequate capacity in the system is not available at the point in time when the project will be contributing sewage to the system. Lack of adequate capacity in the system may require the approval of alternative means of sewage disposal. Use of an alternative means of sewage disposal shall be an interim measure, with connection to the public sanitary sewer system required upon availability of adequate collection/transmission and treatment capacity.

Sewage treatment and disposal for the area is provided by MDWASD's regional wastewater treatment and disposal facilities. These facilities have limited available capacity; consequently, approval of development orders which will generate additional wastewater flow s are being evaluated by DERM on a case-by-case basis. Approvals are only granted if the application for any proposed development order is certified by DERM so as to be in compliance with the provisional and requirements of the settlement agreement between Miami-Dade County and the State of Florida Department of Environmental Protection, and also with the provisions of the Environmental Protection Agency Consent Decree.

Existing public water and public sanitary sewer facilities and services meet the Level of Service (LOS) standards set forth in the Comprehensive Development master Plan (CDMP). Furthermore, the proposed development order, if approved, will not result in a reduction of the LOS standards subject to compliance with the conditions required by DERM for this proposed development order.

# C. POLICE

Growth in residential development within a district results in increased demands for police service. The demands for service typically vary based upon the specific demographics of the area and traffic volume. Service demands normally are evaluated once neighborhoods are established, and re-evaluated on a on-going basis utilizing the budgetary process. Historically, departmentwide manpower, in conjunction within the ability to adjust sworn assignments, has permitted extension and maintenance of the current level of police services to newly established developments of any size.

A careful review of the petition shows that the predicted impact on MDPD resources will be significant, based upon the increase in residential dwelling units. This development will also increase traffic volume. As the project is phased in over the buildout period, additional sworn personnel resources may be required to maintain the current level of service to the area. These resources would be requested through the annual budgetary process.

Regarding actual construction when development occurs, the following applicable quidelines are provided to address public safety issues:

- 1. The development should comply with requirements of the Code of Miami-Dade County, with special attention given to the following:
  - a. Section 21-276, Burglar Alarms.
  - b. Section 28-15(g), Required improvements.
  - c. Section 33-139, Names and numbers to comply with article; authority of the Department of Planning and Zoning.
  - d. Section 33-147, Numbering buildings.
  - e. Section 33-149, duty of owners of buildings.
- 2. Effective January 1, 2001, all burglar alarm systems shall require an annual registration with MDPD by the <u>user</u>. This includes all systems even if they are not monitored by an alarm monitoring company. Locations that have more than one alarm system require separate registration for each system. Information brochures are available at MDPD district stations.
- 3. Each building should have address numbers conspicuously mounted, which are not less than three inches in height and easily observable from the roadway. Buildings that back on to an alleyway should also have address numbers on the rear of the buildings.
- 4. A lighted directory should be erected near each point of entry and at other appropriate locations within the development for rapid location of buildings by responding emergency vehicles.

- 5. Shrubbery and landscaping at all driveways and intersections should be sufficiently set back to permit vehicle operators an unobstructed view of other traffic and pedestrians.
- 6. Landscaping and lighting should be maintained so that address numbers are never allowed to become obscured.
- 7. Adequate lighting, closed circuit television, and security officers in vehicle parking areas can discourage criminal activity.
- 8. Stairwells should have access controlled to restrict movements of persons contemplating criminal activity.
- 9. Any unmanned, card accessible, security entrance gate should have a coded lock-box feature for emergency access by police and fire-rescue vehicles.
- 10. Designation of areas within the development to be kept free of parked motor vehicles in order to facilitate access to buildings by emergency vehicles (free lanes) is accomplished by application of the owner or lessor of the development pursuant to Miami-Dade County Ordinance 30-388, Creation of Emergency Vehicle Zones. Only those developments with zones so designated are authorized to have police enforcement.
- 11. The U.S. Department of Housing and Urban Development recommends five to ten foot-candles of light for heavily used spaces; e.g.; paths, entries, and parking areas. Outdoor lighting can be one of the most effective deterrents against crime. Properly used, it discourages criminal activity and reduces fear.

#### **Additional Comments:**

Police services are currently provided by our Miami Lakes Station (Police District 1 located at 5975 Miami Lakes Drive East. During the month of June 2003, based upon a districtwide statistical analysis, the average emergency response time was 4.5 minutes (includes dispatch and travel time). Stations personnel answered 3,664 calls for police service and operated with 148 sworn officers, to deliver police service to a district boundary area of 244.2 square miles and a routine patrol area of 56.2 square miles, with a total population of 83,580.

#### D. FIRE

#### Service Impact/Demand

- 1. Based on development information, this project is expected to generate approximately 111 fire and rescue calls annually.
- 2. A suspected fire within this project would be designated as a building dispatch assignment. Such as assignment requires 3 suppressions or engines, telesqurts or tankers, 1 aerial, 1 rescue and an accompanying command vehicle(s). This assignment requires 20 firefighters and officers.
- 3. The desired response time is such a project is 4-5 minutes for the first-in unit.

- 4. Required fire flow for this project is 1,500 gpm with hydrant spacing no further than every 300 feet. Proper main extensions can be provided by WASAD. Generally, for this type of development 12-14 inch mains are required.
- 5. Fire Rescue Department's Water and Engineering Bureau, 11805 SW 26th Street, (786) 315-2771 makes final determination regarding exact size and looping of water mains, and the number and placement of hydrants.
- 6. Fire Rescue impact fees fund primary and supportive facility and equipment needs generated by additional impact. The project's proportionate share of impact fees will be assessed at time of building permit.

# **Existing Services**

1. The stations responding to a fire alarm will be:

<u>Station</u>	<u>Address</u>	Equipment	Staff	Response Time
51	4775 NW 199 th St., Honey Hill	Rescue, Battalion	4	4-5 min.
44	7700 NW 186 th St., Palm Springs North	Advanced Life Support Engine	4	5-6 min.
1	16699 NW 67 th Ave. Miami Lakes	Rescue, Engine	7	5-6 min.
11	18705 NW 27 th Ave. Carol City	Rescue, Squrt	8	8-10 min.
54	15250 NW 27 th Ave. Bunch Park	Rescue	3	12-14 min.
38	575 NW 199 th St. Golden Glades	Rescue, Squrt	8	16-18 min.

^{*} Lack of adequate roadway network may increase response time.

2.

<u>Unit</u>	Potential Unavailability During Peak Hours
Rescue 51	29.08%
Rescue 01	26.18%
Rescue 11	24.38%
Rescue 54	25.62%
Rescue 38	25.11%

3. Increased response time may result because of congestion on the following roadways:

NW 186th Street

# **Planned Service Expansions**

The following stations are planned I the vicinity of this project:

<u>Station</u>	Address/Vicinity	Est. Completion <u>Date</u>	Response <u>Time</u>	Cost
Miami Lakes North "O"	NW 170 th St. & 97 th Ave.	2009	6-8 min.	2.0 million
Miami Lakes West "64"	NW 154 th St. & 87 th Ave.	2007	8-10 min.	2.0 million

Funding source is primarily: fire rescue impact fees.

# Site Requirements

The attached site requirements pertain to the site plan submitted as part of this review. All site plans and gates (including future submissions and changes) must be reviewed and approved by the Fire Rescue Department's Water and Engineering Bureau, at 11805 NW 26th Street, (786) 315-2117, **prior** to Executive Council Hearing. (See attachment).

- 1. Compliance with Ordinance 83-23 giving Police jurisdiction to issue citations for parking along frontage of all commercial development.
- 2. Emergency vehicle parking area is to be located in close proximity to the main entrances. Said area to be identified, per S.F.F.P.C.
- 3. Fire Department vehicle access is to be provided to as many sides of the structure as practical or as necessitated by the design of the structure and location of internal fire protection connector.
- 4. Fire access lanes must be capable of supporting 32 tons surfaced with solid pavement, natural or concrete stones or with grass turf reinforced by concrete grids or stabilized subgrade construction, which meet the standards of the Miami-Dade County Public Works Department. Such construction must be certified by a registered professional engineer of the State of Florida. Access lanes are to be minimum of 20 feet wide with a vertical clearance of 13 feet 6 inches. Landscaping along these lanes must be approved and conform to landscaping plans. (Florida Fire Prevention Code).
- 5. Curb cuts for fire access lanes marked "Fire Lanes" in such a manner as to be easily visible from the road and clearly delineated with informational signs of not less than two square feet each parcel. Parking on fire access lanes is to be prohibited.
- 6. A turnabout for fire apparatus shall have a minimum centerline radius of 50 feet. (T or Y turnaround acceptable to the AHJ shall be permitted). (Florida Prevention Code).

7. All slopes in the project must be able to accommodate our largest aerial truck. This truck has the dimensions and angle requirements shown below:

Overall length:

46 feet, 10 inches

Bumper-to-bumper length

32 feet

Wheelbase length:

256 inches.

Angle of approach:

11 degrees maximum

Brake-over angle:

7 degrees maximum

Angle of departure:

8 degrees maximum

- 8. Aerial apparatus set-up sites at the corner of each building over three stories and at the center of buildings in excess of 125 feet in length.
- 9. Site-up sites no closer than 10 feet or further than 30 feet from any building and at least 21 feet wide and 36 feet long with a cross slope of less than 5 percent. Construction the set-up sites will consist of a stabilized subgrade, which meets the standards of the Miami-Dade County Public Works Department, and Grass Pavers" or an equally acceptable product as determined by the authority having jurisdiction. Set-up sites must be capable of withstanding any point forces resulting from out riggers.
- 10. Maintenance of fire lanes provided by the owner.
- 11. Fire sprinkler system in accordance with S.F.B.C., South Florida Fire Prevention Code and adapted NFPA Codes.
  - a. All fire main installation beyond backflow preventor detector check valve are to be done by a State certified Fire Protection Contractor.
  - b. "P.I.V." and "F.D.C." shall be located not less than 40 ft. from building. "Backflow Preventor" shall be located upstream from "P.I.V."
  - c. "F.D.C." must be placed within 150 feet from a fire hydrant.
- 12. An identification system located at each entrance of the complex consisting of a framed lighted map of the development showing all structures and streets at adequate scale.
- 13. Lighted signs for identification on all structures within the development. Sign letters and numbers shall be 6" on front of building and 4" on the rear.
- 14. Limited dead ends to 150 feet and locate :Dead End" signs at the entrance of each area. In a fully sprinklered building, dead ends may 250'. (Florida Fire Prevention Code).
- 15. Minimum 15' gate width. Cannot be within turning radius.
- 16. Gated entrances to provide elevator lock box containing switch or level to activate gate for fire department use.

17. Fire hydrants and fire protection appliances-clearances of seven and one-half feet in from of and to the sides and four feet to the rear shall be maintained. (Florida Fire Prevention Code).

### **Additional Comments**

- 1. Building height should be limited to 5 stories due to lack of aerial units.
- 2. 400' dead-end may have to be addressed.

### E. PARKS

### **Identify Impact and Demand**

The 440 dwelling units will produce a population of 761 people, according to current population estimates prepared by the Research Division of the Planning and Zoning Department. This population generates a need for 1.21 acres of local parkland, based on the CDMP Open Space Standards of 2.75 acres per 1,000 population.

# **Existing Service**

The nearest community park is County Village Park, 17 acres in size, located at 6550 NW 188th Terrace. The nearest neighborhood park is Monterrey Park, 5.24 acres in size, located at NW 183rd Street and NW 53rd Avenue. The nearest district park is Amelia Earhart Park, 515.00 acres in size, located at 11900 NW 42nd Avenue, approximately 5 miles from this application.

#### Facility

Country Village Park is undergoing development. Its plan includes 2 lighted soccer fields, 2 lighted basketball courts, recreation center, open play areas, picnic shelters, tot lot, parking lot and walkways. Monterrey Park is not yet developed at this time. Plans are being made for its development. Amelia Earhart Park is undergoing additional development. Currently it contains a skate park area, a dog park area, open play areas, picnic shelters, lakes, special event area, farm village area, and a beach side swimming area.

#### Manpower

Country Village Park is not manned at this time, but, as development proceeds and the recreation center is compete, staff will be added. Monterrey Park is not manned; a roving crew maintains it. Amelia Earhart Park has two recreation specialists, two recreation leaders, one account clerk, one landscape foreman, five park attendants, five park service aides, one automotive equipment operator, three security guards, and six additional part-time employees.

#### **Concurrency/Capacity Status**

This application is located in Park benefit District 1, which has a surplus of 604.14 acres of local parkland. Therefore, there is an adequate level of service for this application.

# Site Plan Critique & quality of Life Issues

The site plan shows a pool and deck area. I recommend additional facilities be considered for this area, such as a basketball court, volleyball court, or a tot lot playground. Additional facilities to be considered are gazebos and picnic shelters, located in the larger open spaces in the site plan. And a walking path between the building groups in the center section of the development would benefit the community.

### F. SCHOOLS

Comments from Miami Dade County Public Schools are provided in attached Exhibit "A"

# G. SOLID WASTE MANAGEMENT

The County Solid Waste Management System consists of both County facilities and a private facility under contract as follows: two Class I landfills (one owned by Waste Management Inc., of Florida) Class III landfill, a Resources Recovery Facility and associated ash monofill, and three regional transfer facilities. The Department of Solid Waste Management (DSWM) does not assess or adjust estimated capacity requirements based on the impacts of individual developments. Instead, the Department maintained sufficient disposal capacity to accommodate five years of waste flows committed to the system through long-term interlocal agreements or contracts with municipalities and private waste haulers and anticipated non-committed waste flows. The latest concurrency Status Determination issued on September 22, 2000, which is valid for three (3) years, shows sufficient disposal system capacity to meet and exceed the County's adopted level of service (five years of committed capacity). This determination, which is on file with the Department of Planning and Zoning is contingent upon the continued ability of the County to obtain and renew disposal facility operating permits from the Florida Department of Environmental Protection, as needed.

This project proposes a multi-family development of 760 units. Chapter 15 of the Miami Dade County Code entitled Solid Waste Management requires the following of commercial and multi-family developments located in unincorporated Miami Dade County:

Section 15-2 – "every commercial and multi-family residential establishment shall utilize the solid waste collection services of either the proper governmental agency able to provide such services, or that of a licensed solid waste hauler authorized to perform such services by the Director of the Department."

Section 15-2.3 – As it relates to the multi-family uses, Section15-2.2 requires that "every multi-family residential establishment shall provide for a recycling program which shall be serviced by a permitted hauler or the appropriate governmental agency and shall include, at a minimum, the five (5) materials listed in Section 15-2.2 below.

Recyclable Materials: Multi-family

- (1) Newspaper
- (2) Glass (flint, emerald, amber)
- (3) Aluminum cans

Applicants are **strongly** advised to incorporate adequate space and facilities in their building plans to accommodate the required recycling program. Requests for approval of modified recycling program must be made directly to the Department at 305-594-1567.

Section 15-4 – requires that plans for storage and collection of solid waste be adequate before a building permit may be issued. Site plans must address location, accessibility, number and adequacy of solid waste collection and storage facilities. The site plan legend must contain the following statement: "Facilities for the collection and storage of solid waste are shown in accordance with Section 15-4 of the Miami Dade County Code.

It is required that development associated with this project ensure that either of the following criteria be present in project design plans and circulation operations to minimize the revising of waste vehicles and hence, provide for the safe circulation of service vehicles:

- a. cul-de-sac with a minimum 49 foot turning radius (no "dead-ends).
- b. "T" shaped turnaround 60 feet long by 10 feet wide.
- c. Paved throughway of adequate width (minimum 15 feet).

In addition any and all alleyways designed with utilities, including waste collection, provided at the rear of the property should be planned in accord with standard street specifications with sufficient width and turning radii to permit large vehicles to access the alleyways. Additionally there should be no "dead-end" alleyways developed. Finally we are requesting that a sufficient waste set-out zone be preserved (between the edge of the pavement and any possible obstructions such as parked cars, fencing, etc.) that would interrupt or preclude waste collection.

# V. IMPACT ON TRANSPORTATION FACILITIES AND ACCESSIBILITY

# A. ANTICIPATED TRAFFIC GENERATION AND CONCURRENCY

Trip Generation
 255 PM Peak Hour trip ends

#### 2. Cardinal Distribution

North/North West 14.1 % North/North East 23.1 % South 62.8 % West 0 %

#### B. EXISTING ROADWAYS SERVICEABLE TO THIS APPLICATION

NW 67 Ave. NW 186 St. 1. Location: NW 68 Ave. 2. Description: Arterial Arterial Arterial No. of lanes: 4 3 110 feet 110 feet Right of way: 75 feet Maintenance: Miami Dade Miami-Dade Miami-Dade

#### C. IMPACT ON EXISTING ROADWAYS

Station 2518 located on NW 186th Street e/o of I-75 has a maximum capacity of LOS "E", of 2580 vehicles during the PM Peak Hour. It has a current Peak Hour Period (PHP) of 2254 vehicles and 148 vehicles have been assigned to this section of road from previously approved Development Orders. Station 2518 with its 2402 PHP and assigned vehicles for

is at LOS "C". The 36 vehicles generated by this development when combined with the 2402 assigned equals 2438 and LOS "C" where the range of LOS "C" is from 2271 to 2540 vehicles.

Station 2517 located on NW 186th Street w/o 67th Avenue has a maximum capacity of LOS "E" of 5140 vehicles during the PM Peak Hour. It has a current Peak Hour Period (PHP) of 2579 vehicles and 2215 vehicles have been assigned to this section of road from previously approved Development Orders. Station 2517 with its 4794 PHP and assigned vehicles is at LOS "D". The 126 vehicles generated by this development when combined with the 4794 equals 4920 and LOS "D" where the range of LOS "D" is from 4771 to 5120 vehicles.

Station 9230 on NW 67th Avenue s/o SR 826 has a maximum capacity of LOS "E" of 6800 vehicles during the PM Peak Hour. It has a current Peak Hour Period (PHP) of 3951 vehicles and 1713 vehicles have been assigned to this section of road from previously approved Development Orders. Station 9230 with its 3951 PHP and assigned vehicles is at LOS "D". The 160 vehicles generated by this development when combined with the 5664 equals 5824 and LOS "E" where the range of LOS "E" is from 5481 to 6800 vehicles.

# D. SITE PLAN CRITIQUE

Site Plan is acceptable subject to the following modifications:

- The land may be required to be platted
- Additional Site Plan, and Traffic circulation within the project will be reviewed during the Platting or Permitting process if.
- A right turn lane, minimum of 125 feet in length, shall be constructed south of the proposed entrance along NW 68th Avenue.
- Entrance into the recreation and gymnasium area shall have a minimum of 25 feet of stacking distance if controlled gate is provided.
- Public access must be provided that satisfies the needs for both traffic circulation and Fire Rescue vehicles.
- A Public Works permit is required for construction in the public right of way.
- Sidewalks must continue across private drives.
- All landscaping, walls, fences, Entrance Features, etc. will be subject to the safe sight distance triangle as per Section 33-11 of the Miami-Dade County Code and G5.3 of the Public Works Manual.
- A property owners association will be required for the maintenance of private drives, common areas, lakes, landscaping and walls/fences.
- Entrance features are not reviewed or approved as part of this application.
- Contribution for traffic signals may be required.

This application **does meet** the criteria for traffic concurrency for an Initial Development Order. No vehicle trips have been reserved by this application. It will be subject to the payment of road Impact Fees.

# F. MASS TRANSIT

The application is requesting a district boundary change in order to develop a portion of the subject property with 440 units, multi-family apartment complex. Additionally, the applicant is requesting a modification of a previously approved resolution in order to submit revised development plans for the entire subject site consisting of a total of 760 multi-family units (420 units currently existing).

The property is located at 18255 – 18345 NW 68th Ave. and 6790 NW 186th Street. The property consists of approximately 19.31 acres

The applicant is requesting a district boundary change from BU-1A, Limited Business District, to RU-4, High Density Apartment House District

The area is currently served by the following Metrobus routes and frequencies (in minutes):

Route	Peak	Non-Peak	Night	Sat	Sun
83	20	30	60	30	30
91	30	60	n/a	60	60

The 2003 Transportation Improvement Program (TIP) proposed under Primary State Highways and Intermodal Project Detail, the resurfacing of Miami Gardens Drive From I-75 to NW 68 Avenue and from NW 68th Ave. to NW 57th Ave.

The 2025 Long Range Transportation Plan (LRTP) proposes under Priority IV-Unfunded Projects, Miami Gardens Drive from I-75 to NW 57th Ave. widen from 4 to 6 lanes.

The 2002 Transit Development Plan (TDP) SHOWS IN THE 2007 Recommended Service Plan the following improvements:

Rt. 83 – Improve peak period headways from 20 to 15 minutes.

Rt. 91 – Improve daily headways from 60 to 30 minutes. Re-structure route to service the future Northeast Terminal.

Rt. 83 – Improve peak headways from 20 to 15 minutes. All night service every 60 minutes, seven days a week.

Rt. 91 – Improve off-peak headways from 60 to 30 minutes. By the year 20-05, improve peak headways from 30 to 15 minutes. Re-structure route to serve the future Northeast Bus Terminal.

Based on the information presented, OPTM/MDT have no objection to this project.

This project has been reviewed by OPTM for Mass transit concurrency and was found to be concurrent with the level-of-service standards established for Miami Dade County.

### G. AVIATION

The Miami-Dade Aviation Department (MDAD) has reviewed a zoning hearing request for a district boundary change from BU-1A, Limited business District, to RU-4, High Density Apartments Housing District in order to develop a portion of the subject property with a 440 unit, multi-family apartment complex. Additionally, the applicant is requesting a modification of a previously approved resolution in order to submit revised development plans for the entire subject site consisting of a total of 760 mufti-family units (230 units currently existing). The subject property consists of approximately 19,312 acres and is located at 18255-18345 NW 68th Avenue and 6700 NW 186th Street. MDAD has

determined that the reference property is clear of any restrictive zones as depicted in the proposed Zoning Ordinance for Opa-Locka Airport (OPF), would be compatible with airport operations. In addition, MDAD's Development Division has reviewed the proposed 10-story structure (approximately 105 feet Above Mean Sea Level) and determined that the proposed facility, located in the Conical District of OPF, does not exceed the obstruction standards established by the Miami-Dade County Height Zoning Ordinance for OPF.

DATE TYPED:

10/31/03

DATE REVISED:

11/5/03, 12/15/03, 01/30/04, 02/19/04

DATE FINALIZED:

02/19/04

# **Conditions**

- 1. That a site plan be submitted to and meet with the approval of the Director upon the submittal of an application for a building permit and/or Certificate of Use and Occupancy; said plan to include among other things but not be limited thereto, location of structure or structures, types, sizes and location of signs, light standards, off-street parking areas, exits and entrances, drainage, walls, fences, landscaping, etc.
- 2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Country Club Towers Second Phase II", as prepared by Salvador Cruxent, Architect, dated revised 1-08-04, except as herein modified to provide the required number of lot trees, street trees and shrubs, to reduce the number of units on the North Parcel to 400 for a combined total of 736 units, and to relocate the clubhouse to the west closer to the pool and deck area.
- 3. That the use be established and maintained in accordance with the approved plan.
- 4. That the applicant submit to the Department for its review and approval a landscaping plan that indicates the type and size of plant material prior to the issuance of a building permit and to be installed prior to the issuance of a Certificate of Use.
- 5. That the applicant obtain a Certificate of Use from the Department, upon compliance with all terms and conditions, the same subject to cancellation upon violation of any of the conditions.
- 6. That the applicant comply with all applicable conditions and requirements of the Department of Environmental Resources Management (DERM).
- 7. That the applicant comply with all applicable conditions and requirements of the Public Works Department.
- 8. That all the conditions of Resolution # 4-ZAB-98-85 remain in full force and effect except as modified herein.
- 9. That the drive from N.W. 68th avenue leading to the recreational/gymnasium/office be closed and removed within 18 months of the issuance of a Certificate of Use for the 736th units, and that the parking area be relocated to the west of the clubhouse.

# **EXHIBIT 'A'**



# Miami-Dade County Public Schools

# giving our students the world

Ana Rijo-Conde, Interim Assistant Superintendent

Facilities Operations, Maintenance and Planning

January 7, 2004

Miami-Dade County School Board

Dr. Michael M. Krop, Chair Dr. Robert B. Ingram, Vice Chair Agustin J. Barrera Frank J. Bolaños Frank J. Cobo Perla Tabares Hantman Betsy H. Kaplan Dr. Marta Pérez

Dr. Solomon C. Stinson

Superintendent

of Schools

Merrett R. Stierheim

Ms. Maria Teresa-Fojo, Division Chief Miami-Dade County Department of Planning and Zoning Zoning Evaluation Section 111 NW 1 Street, Suite 1110 Miami, Florida 33128

Re: Jose Milton Trust - Application No. 03-123 (CC05)

18255 NW 68 Avenue

Revised

Dear Ms. Fojo:

Pursuant to the state-mandated and School Board approved Interlocal Agreement, local government, the development community and the School Board are to collaborate on the options to address the impact of proposed residential development on public schools where the proposed development would result in an increase in the schools' FISH % utilization (permanent and relocatable), in excess of 115%. This figure is to be considered only as a review threshold and shall not be construed to obligate the governing agency to deny a development.

Attached please find the School District's (District) review analysis of potential impact generated by the above referenced application. Please note that all of the school facilities meet the referenced review threshold. The proposed residential development will impact Palm Springs North Elementary School, Lawton Chiles Middle School and American Senior High School currently operating at 125%, 124% and 146% of FISH % utilization, respectively. However, utilizing the County's Census 2000 figures, the proposed residential development will increase the FISH % utilization of Palm Springs North Elementary School, Lawton Chiles Middle School and American Senior High School to 132%, 127% and 149%, respectively (please see attached analysis).

Pursuant to the Interlocal, the District met with the applicant's legal counsel on numerous occassions, to discuss the impact of the proposed development on public schools. The District is grateful that the applicant took the time to meet with the District to discuss possible options that may accommodate new students generated by the proposed application. As such, the applicant has voluntarily proffered a covenant to the School Board in order to provide a monetary donation, over and above impact fees. Please be advised that such a proffer by the applicant is subject to School Board approval at an upcoming meeting.

Please note the attached analysis depicts the relief schools planned in the area, which includes the recently approved Facilities Five Year Work Program.

Ms. Maria Teresa-Fojo January 7, 2004 Page Two

Also, attached is a list of approved Charter School Facilities countywide, which may provide relief to the area of impact, as well as a report depicting previously approved applications in the area.

Additionally, pursuant to Miami-Dade County's Educational Facilities Impact Fee Ordinance the proposed development, if approved, will be required to pay educational facilities impact fees (impact fees) based on the following formula:

New residential unit square footage X .90 (Square Footage Fee) + \$600.00 (Base Fee) + 2% administrative fee = Educational Facilities Impact fee

It is our understanding that the additional 352-unit development is estimated to generate approximately \$303,316 in impact fees. This figure may vary since the impact fees assessed are based on the actual square footage of each dwelling unit.

In accordance with the Agreement, this letter and attached information should not be construed as commentary on the merits of the pending zoning application. Rather it is an attempt to provide relevant information to the Community Council on public schools that will likely serve the proposed development and meet the referenced threshold.

As always, thank you for your consideration and continued partnership in our mutual goal to enhance the quality of life for the residents of our community.

Sincerely,

Patricia Good Coordinator III

PG:am L-2016 Attachment

cc:

Ms. Ana Rijo-Conde

Mr. Fernando Albuerne Mr. Michael A. Levine

Mr. Ivan M. Rodriguez Ms. Vivian Villaamil Mr. Stanley Price

# REVISED SCHOOL IMPACT REVIEW ANALYSIS

**APPLICATION:** 

No. 03-123, Jose Milton Trust (CC05)

**REQUEST:** 

Special Exception to allow residential in a BU-1A zone

**ACRES:** 

19.312 acres

LOCATION:

18255 N.W. 68 Avenue

**NUMBER OF** 

UNITS:

352 additional units (408 units currently permitted on existing zoning

classification, for a total of 760 units)

ESTIMATED STUDENT

POPULATION:

194 students**

**ELEMENTARY:** 

89

MIDDLE:

49

**SENIOR:** 

56

# SCHOOLS SERVING AREA OF APPLICATION:

**ELEMENTARY:** 

Palm Springs North Elementary - 17615 N.W. 82 Ave.*

MIDDLE:

Lawton Chiles Middle - 8190 N.W. 197 St.

**SENIOR HIGH:** 

American Senior - 18350 N.W. 67 Ave.

^{*} School is capped; students are attending Lake Stevens Elementary.

^{**} Based on Census 2000 information provided by the Miami-Dade County Department of Planning and Zoning.

The following population and facility capacity data are as reported by the Office of Information Technology, as of opening of schools, August 2003:

111101111441011 100		. •			
	STUDENT POPULATION	FISH DESIGN CAPACITY PERMANENT	% UTILIZATION FISH DESIGN CAPACITY PERMANENT	NUMBER OF PORTABLE STUDENT STATIONS	% UTILIZATION FISH DESIGN CAPACITY PERMANENT AND RELOCATABLE
Palm Springs N Elem. Includes PLC "X"	1676/ 1765*	894	161%/ 197%*	-446	125%/ 132%*
Lawton Chiles Middle	1986/ 2035*	1173	169%/ 173%*	429	124%/ 127%*
American Sr.	2960/ 3016*	1950	146%/ 155%*	77	146%/ 149%*

^{*}includes proposed development

ADDITIONAL SCHOOL INFORMATION: The following information was provided by school site personnel or other data sources in October 2002:

# Palm Springs North Elementary:

Access to computers:	In	each	class
7,00000 to 00111,putotos			lah

sroom, in special computer labs and in Media

Center

Capital Improvements in the past school year: None

None Recognition for Academic Achievement:

After-school care and Community Special Programs:

and Enrichment classes

Begins at 10:00 a.m. Lunch schedule:

Non-instructional space utilized for Cafeteria instructional purposes:

Spanish, ESOL, Art and Teachers required to float/travel: Music

Lawton Chiles Middle:

classroom. special Access to computers: each

computer labs and media center

Capital Improvements in the past school year: Classrooms and Portables added

None Recognition for Academic Achievement:

**Enrichment** Vocational and Special Programs:

Classes

Begins at 11:00 a.m. Lunch schedule:

Non-instructional space utilized for None instructional purposes:

None Teachers required to float/travel:

American Senior:

In special computer labs and Access to computers:

Media Center

Classrooms Capital Improvements in the past school year:

Recognition for Academic Achievement: None

Vocational. Enrichment and Special Programs:

Community classes

Begins at 10:40 a.m. Lunch schedule:

Non-instructional space utilized for instructional purposes: Cafeteria

Foreign English, Science, Teachers required to float/travel:

Language, ESE, Health, Social

Studies and Driver's Ed.

# PLANNED RELIEF SCHOOLS IN THE AREA (information as of October 2003):

School
State School "NN1"
(Lawton Chiles Middle)
(1506 student stations)

Status
Design

Occupancy Date
Summer/2006

State School "TT" Under Construction Spring/2005 (a new middle learning center,

with a permanent capacity of 483 student stations)

State School "JJJ" Pre-Planning Summer/2007 (Barbara Goleman, Hialeah-

(Barbara Goleman, Hialeah-Miami Lakes and American Sr.) (2850 student stations)

**OPERATING COSTS:** According to Financial Affairs, the average cost for K-12 grade students amounts to \$5,833 per student. The total annual operating cost for additional students residing in this development, if approved, would total \$1,131,602.

**CAPITAL COSTS:** Based on the State's October-2003 student station cost factors*, capital costs for the estimated additional students to be generated by the proposed development are:

ELEMENTARY 89 x \$ 13,294 = \$1,183,166 MIDDLE 49 x \$ 15,242 = \$ 746,858 SENIOR 56 x \$ 20,169 = \$1,129,464

Total Potential Capital Cost \$3,059,488

Based on Information provided by the Florida Department of Education, Office of Educational Facilities Budgeting. Cost per student station does not include land cost.



# **ZONING REPORT**

# (APPLICATIONS REVIEWED SINCE JANUARY 2001) CC5

	ीक्षणीहरू समित्राहरू विकास	्रह्माला १८०म्सला	y-prosincing	Sereof	Board District(s) Region(s)	Somewhy, Comell sale	Approved/ ADenicd/ Comments
1	LUIS AND MARGARITA AGUDO, ET AL #01-010	Btwn NW 77 Ave. and NW 79 Ave. and Btwn NW 197 St. and NW 202 St.	152 Units/ 74 Students	WYCHE ELEM-40 LAWTON CHILES MID-18 AMERICAN SR-16	1/1 4/1 4/1	CC05 10/18/01	APPROVED 2-Acre site contrib. In-lieu- of fees
2	IGLESIA BAUTISTA NUEVO AMANECER, INC., LLC #03-157	E of NW 89 Ave. and S of NW 174 St.	17 Units/ 9 Students	PALM SPRINGS N ELEM-4 LAWTON CHILES MID-2 AMERICAN SR-3	4/1 4/1 4/1	CC05 Def12/11/03	PENDING
3	CHRISTOPHER BRANDON CORP. #01-315	SWC of NW 178 St. and NW 89 Ave.	34 Units/ 17 Students	PALM SPRINGS N ELEM-9 LAWTON CHILES MID-4 AMERICAN SR-4	4/1 4/1 4/1	CC05 12/12/01	APPROVED
	IGLESIA BAUTISTA NUEVO AMANECER, INC., LLC #02-278	E of NW 89 Ave. and N of NW 170 St.	23 Units/ 13 Students	B. GRAHAM ED CNT-7 MIAMI LAKES MID-3 B. GOLEMAN SR-3	4/1 4/1 4/1	CC05 3/20/03	DENIED
4	GENET FAMILY LTD. PARTNERSHIP NO. 1 & 2 #02-255	South of NW 186 St. and W of NW 87 Ave.	73 Units/ 40 Students	PALM SPRINGS N ELEM-22 LAWTON CHILES MID-9 AMERICAN SR-9	4/1 4/1 4/1	CC05 5/15/03	APPROVED
5	AUSTIN HOMES, INC. #00-300	NW 87 Ave. and NW 170 St.	17 Units/ 8 Students	PALM SPRINGS N ELEM-4 MIAMI LAKES MID-2 B. GOLEMAN SR-2	4/1 4/1 4/1	CC05 6/28/01	APPROVED
6	CENTURY PRESTIGE #02-078	North of NW 178 St. btwn NW 87 Ave. and I-75	333 Units/ 163 Students	PALM SPRINGS N ELEM-88 LAWTON CHILES MID-39 AMERICAN SR-36	4/1 4/1 4/1	CC05 7/29/2002	APPROVED
7	PETRVS HOLDINGS, INC., ET AL (CORUM) #01-259	E of NW 97 Ave. and S of NW 146 St. and W of I-75	757 Units/ 303 Students	PALM SPRINGS N ELEM-164 MIAMI LAKES MID-73 B. GOLEMAN SR-66	4/1 4/1 4/1	CC05 9/26/02	WITHDRAWN
8	SHOMA HOMES AT BELLAGIO #03-076	S of NW 186 St. & W of NW 87 Ave.	656 Units/ 361 Students	B. GRAHAM ED CNT-166 MIAMI LAKES MID-90 B. GOLEMAN SR-105	4/1 4/1 4/1	CC05 Def. Indef.	PENDING
9	BBE DEVELOPMENT CORP. #03-138	E of NW 97 Ave. & N of NW 182 St.	56 Units/ 31 Students	WYCHE ELEM-14 LAWTON CHILES MID-8 AMERICAN SR-9	1/1 4/1 4/1	CC05 Def12/11/03	PENDING
10	GEFEN, INC. #03-139	E of NW 97 Ave. & S of NW 186 St.	41 Units/ 21 Students	WYCHE ELEM-10 LAWTON CHILES MID-5 AMERICAN SR-6	1/1 4/1 4/1	CC05 Def12/11/03	PENDING
11	MIAMI GARDENS PARK, LTD., ET AL #02-239	NWC of NW 59 Ave. and NW 177 St.	404 Units/ 348 Students	GOOD ELEM-160 LAKES STEVENS MID-87 AMERICAN SR-101	4/1 4/1 4/1	CC05 DIC	PENDING
12	ROYAL GARDENS INVESTMENTS, LLC #02-190	E of NW 97 Ave. and N of NW 162 St.	943 Units/ 519 Students	PALM SPRINGS N ELEM-239 MIAMI LAKES MID-130 B. GOLEMAN SR-150	4/1 4/1 4/1	CC05 DIC	PENDING
13	TREASURE COVE, INC. #02-190	East of NW 97 Ave., North of NW 170 St. and West of I-75	410 Units/ 173 Students	WYCHE ELEM-93 LAWTON CHILES MID-42 AMERICAN SR-38	1/1 4/1 4/1	CC05 DIC	PENDING

Note: There are seven applications that are pending which would generate 1462 students.

# **ZONING REPORT**



# (APPLICATIONS REVIEWED SINCE JANUARY 2001) CC5

SH:Conc	LEGENT-VECK EMMOTEN	ANTERONAL ANTONAL ANTONAL ANTONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL ANTERONAL AN	TOURNING TO TAKEN (UDEN) FOR DEVINATION	PERMITE ELECTRICE PREMITE ELECTRICE	SALVITORS	CUMULATIVE STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO STILLEZATO
Chair an in the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the contr	hands about him to be a second					
PALM SPRINGS N ELEM	1676	123	1799	894	446	134%
WYCHE ELEM	- 1174	40	1214	904	0	134%
ELEMENTARYTOTACSYS	2850		\$008	1798	2 // (c) 2 / (c)	134%
LAWTON CHILES MID	1986	70	2056	1173	429	128%
MIAMI LAKES MID	1592	2	1594	1158	211	116%
MIDDLETTOTALS	3576		3850	2331	640	123%
AMERICAN SR	2960	65	3025	1950	77	149%
BARBARA GOLEMAN SR	4463	2	4465	2906	563	129%
SENIOR/HIGH TOTALS	7/22	-677 www.	7/490	4856	640	136%

TOTAL

13851

302

14153

8985

1726

132%

# CHARTER SCHOOLS 2002-2003

			2002-2003					
Mail Code	Name and Address Of Charter School	Actual Enrollment	Pro	ojected Enrollmo	ent	t Grade AC		Voting
	1	(10-04-02)	2003-2004	2004-2005	Maximum	Levels*	Center	Distric
7400	Mater Academy High School		<del></del>		Marinifi			04.0
7160	1 /801 NW 103 St	80	750					
· · · · · · · · · · · · · · · · · · ·	Hialeah Gardens, FL 33016	00	750	1,000	1,000	9-10		4
0400	Mater Center Charter School							-
0100	} 7700 NW 98 St.	1,099	4 000					
	Hialeah Gardens, FL 33016	1,000	1,000	1,050	1,150	K-8		4
0440	North County Charter School							-
0110	1 3400 NW 135 St	293	600					
	Miami, FL 33054	-  -	000	600	600	K-5	1 1	1
5130	North Dade Community Charter School							•
	13000 NVV 26 AVe.	63	5-7-					
	Opa-Locka, FL 33054	03	575	600	600	K-5	1 1	1
•	Sandor Wiener School of Opportunity	<del> </del>	<del></del>					. •
5710	20000 NW 47 Ct	6	32					
	Opa-Locka, FL 33055		32	34	72	K-2	1 1	1
0000	Vankara Academy Charter School							•
6900	13307-11 Alexandria Dr.	132 175	475					
	Opa-Locka, FL 33054	102	132 175 225	225	6-8	1 1	- 1	
<b>6050</b>	Youth Co-Op Charter School	<del> </del>						•
6850	12051 W. Okeechobee Rd	386	505					
<del></del>	Hialeah Gardens, FL 33018	1	525	525	525	K-8	1	4
	ASPIRA Youth Leadership Charter School	<del> </del>						•
6020	19300 Memorial Hwy	288	450		450	6-9	11	·····
	North Miami, FL 33161	200	450	450				1
	Northeast Academy			<u>-</u>			]	•
0120	1750 NE 168 St.	416	600			K-5		
	N. Miami Beach, FL 33162	710	600	600	600		1 11	3
	Doral Academy		<u>·</u>					
6030	2450 NW 97 Ave.	1212	0.005					
	Miami, FL 33172	1212	2,025	2,025	2,025	K-8	1111	5
	Doral Academy High School	<del> </del>						, •
7020	11100 NW 27 St.	456	4 000	_				
	Miami, FL 33172	1 430	1,800	1,800	1,800	9-11	111	5
0400	Ryder Elementary Charter School							U
	8360 NW 33 St.	488		$\overline{}$				
	Miami, FL 33122	400	500	500	500	K-5	m l	5

Mail	Name and Address	Name and Address Actual Projected Enrollment						5	
Code	Of Charter School	Enrollment (10-04-02)	2003-2004	2004-2005	Maximum	Grade Levele*	ACCESS Center	Voting District	
6070	ASPIRA Eugenio Maria de Hostos Charter School 3650 N. Miami Ave. Miami, FL 33127	174	250	300	350	6-8	IV	2	
3600	Downtown Miami Charter School 305 NW 3 Ave. Miami, FL 33128	294	650	650	650	K-6	IV	2	
6010	Florida International Academy 7630 Biscayne Blvd. Miami, FL 33138 Liberty City Charter School	260	350	350	350	6-8	IV	2	
0040	8700 NW 5 Ave. Miami, FL 33150  Mater East Charter School	257	400	705	705	K-7	IV	2	
3100	450 SW 4 St. Miami, FL 33130 Miami Shores/Barry University Connected	269	650	800	800	K-5	IV	6	
6040	Learning Center   11441 NW 2 Ave.   Miami Shores, FL 33168	180	200	200	200	6-8	, IV	2	
0500	Rosa Parks Community School/Overtown 430 NW 9 St. Miami, FL 33136 Archimedean Academy	42	425	500	500	K-6	IV	2	
0510	10870 SW 113 Place   Miami, FL 33176	80	225	325	500	K-3	V	7	
9600	Pinecrest Preparatory Academy 14301 SW 42 St. Miami, FL 33175	548	650	700	700	K-6	V	8	
6060	ASPIRA South Youth Leadership Charter School 14112-14114 SW 288 St. Leisure City, FL 33033	160	230	260	260	6-8	VI	9	
0070	Coral Reef Montessori Academy 19000 SW 112 Ave. Miami, FL 33157	221	500	500	500	K-8	Vi	9	
0300	Rosa Parks Charter School/Florida City 713 West Palm Drive Florida City, FL 33034	149	250	300	600	K-7	VI	9	

Mall Code	Name and Address Of Charter School	Actual Enrollment	Enrollment		ected Enrollment		ACCESS	Voting	1
0200	Spiral Tech Elementary Charter School	(10-04-02)	2003-2004	2004-2005	Maximum	Levels*	Center	District	
	12400 SW 72 St. Miami, FL 33183 Grade levels for school year 2002-2003	59	160	240	290	K-5	VI	7	

	MEM CHAPTER COLLEGE	
	NEW CHARTER SCHOOLS APPROVED TO OPEN FOR T	UE 2000 COA COA COA
ı	TO STENFOR	TIE 2003-2004 SCHOOL YEAR:

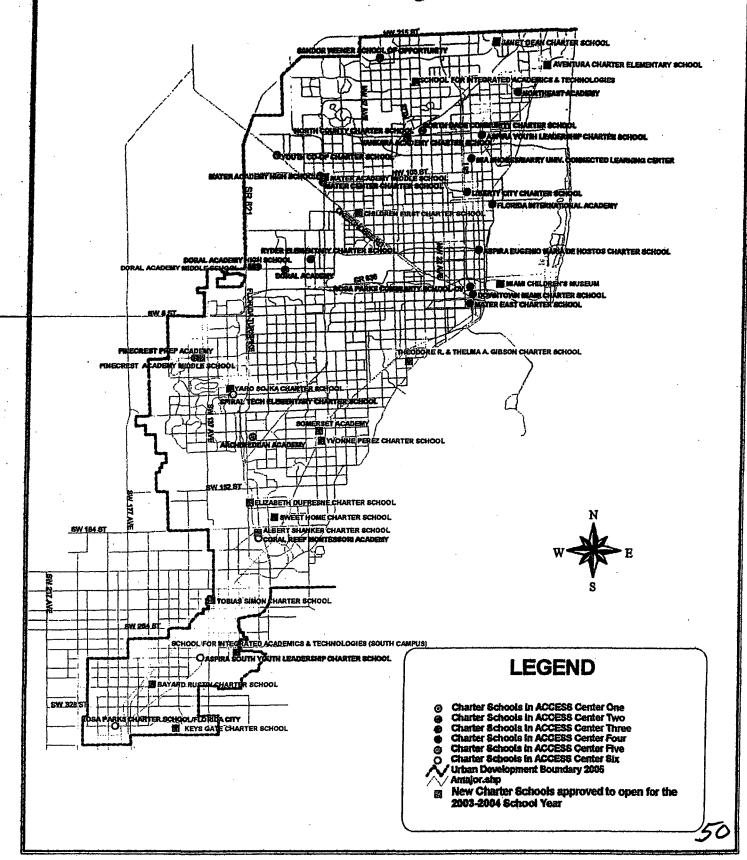
Name and Address Of Charter School	Projected Enrollment			03-04	•	(Rev. 3/21/
	2003-2004	2004-2005	Maximum	Grade Level	Max Grade Level	ACCESS
Mater Academy Middle School 7901 NW 103 Street Hialeah Gardens, FL 33016	. 700	800	800	6-8	6-8	Center
School for Integrated Academics & Technologies (SIATech) (A school for high-risk students) Main: 3050 NW 183 Street Miami, FL 33056	400	600	800	9-10	9-12	Ī
Aventura Charter Elementary School 3333 NE 188 Street Miami, FL 33180	600	600	600	K-5	K-5	11
Janet Dean Charter School Ives Dairy Rd. between NE 10 & 12 Ave., Miami, FL	Deferred to 04-05	1,200	1,200	K-8	K-8	11
Children First Charter School 590 W. 20 Street Hialeah, FL 33010	Deferred to 04-05	250	550	K-3	K-5	111
Doral Academy Middle School 2601 NW 112 Avenue Miami, FL 33172	800	800	800	6-8	6-8	111
Theodore R. & Thelma A. Gibson Charter School 3629 Grand Avenue Miami, FL 33133	575	600	600	K-8	K-8	IV
Miami Children's Museum Watson Island Miami, FL	Deferred to 04-05	350	350	K-6	K-5	ľV

Name and Address	Pro	jected Enrollmen	it	03-04	Max Grade	<u>~~~~~</u>
Of Charter School Somerset Academy	2003-2004	2004-2005	Maximum	Grade Level	Level	ACCESS
11011 SW 80 Avenue Mlami, FL 33156	Deferred to 04-05	650	800	K-5	K-8	Center V
Pinecrest Academy Middle School 14301 SW 42 Street Miami, FL 33175	650	700	. 800	6-8	6-8	V
Yvonne Perez Charter School SW 112 Street & US1 Miami, FL	Deferred to 04-05	1,200	1,200	K-8	K-8	V
Sweet Home Charter School *17201 SW 103 Avenue Miami, FL	Deferred to 04-05	775	1,075	Kindergarten	K-8	V
Elizabeth duFresne Charter School SW 117 Ave. &164 Terrace Miami, FL	Deferred to 04-05	1,000	1,000	K-5	K-5	VI
Yaro Sojka Charter School SW 127 Ave. & 72 Street Mami, FL	Deferred to 04-05	1,200	1,200	K-8	K-8	VI
Albert Shanker Charter School SE comer of Turnpike & Quail Roost Dr., Miami, FL	Deferred to 04-05	1,200	1,200	K-8	K-8	VI
Bayard Rustin Charter School SW 312 St. & 167 Avenue Homestead, FL	Deferred to 04-05	1,600	1,600	K-8	K-8	VI
Tobles Simon Charter School 24400 SW 137 Avenue Miami, FL	Deferred to 04-05	1,200	1,200	K-8	K-8	VI
Keys Gate Charter School SW 152 Ave. & SE 24 Street Homestead, FL	1,150	1,150	1,150	K-8	K-8	VI

temporary location for the first year - the permanent location will be at SW 180 Street & 107 Ave.

	THE PARTY CONTRACTOR OF THE PARTY AND THE PARTY OF THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PARTY AND THE PAR	<u> </u>
from Pacification desirable and an analysis of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first of the first	alliant in the state of	
Chancelor Charter School at School		
	2000000	is the property of the second section of the second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second
Coral Gables Community Charter School	1	750
Wildlin-Dage Charter Foundation	1	600
Miami-Dade Charter Schools, inc.	6	5,400
Miami-Shores Charter High School	2	3,200
Somerset Academy		600
Balere Language Academy	8	8,600
Mater Gardens Academy Flementon, School	11	450
Water Springs Academy Elementary School	1	900
Widter Academy South Charter School	11	600
Mater Gardens Academy Middle School	1	900
Water Springs Academy Middle School	1	450
Sabai Palm Charter High School (West Highest Apademy)	<u> </u>	300
Trial tel Academy of Excellence	1	800
Total applications: 14		600
	27	24,150

# **Charter Schools by ACCESS Center**



# APPLICATION NO. Z03-123 JOSE MILTON TRUST

Respectfully Submited,

DIC Executive Council February 18, 2004

Pedro G. Hernandez, P.E. Assistant County Manager

**PENDING** 

AYE

Antonio Bared, Fire Chief Miami-Dade Fire Rescue Department

Absent

Irma San Roman, Deputy Director Metropolitan Planning Organization Secretariat Louis

AYE

Diane O'Quinn Williams, Director Department of Planning and Zoning Deanie Ollly

**AYE** 

Aristides Rivera, P.E., P.L.S., Director Public Works Department

NAY

John W. Renfrow, P.E., Director Department of Environmental Resources Mgmt

**PENDING** 

AYE

Jorge S. Rodriguez, P.E., Assistant Director Miami-Dade Water and Sewer Department

AYE

### MIAM ADE FIRE RESCUE DO ARTMENT **ZONING COMMENTS**

Hearing Number: 203-103.  Service Impact: A Yes No Plans: Yes No Plans: Yes No Recommendation: Approved Approved with no change from previous submittal Denial Deni		E CIDE DESCUE DE ARTI	MENT (1-05
Service Impact:  Yes  No	MIAMADADE		<i>werelinger</i>
Service Impact:  Yes  No	11-1-1-1 Number 203-123.		WE CELL S
Plans:			JAN 0 9 2004
Recommendation:  Approved Approved with conditions Approved with no change from previous submittal Denial Defer to DIC comments  **Exic Algastantal in Integrating Municipal States and Integrated Approved with no change from previous submittal Denial Defer to DIC comments  **Exic Algastantal in Integrating Municipal States and Integrated Approved With a Denial Defer to DIC comments  **Estimated number of alarms generated annually by application:  If there is an impact, below is the service availability:  Station District ##. Grid 017 a. DU/SF Occupancy Type  Impact of additional calls on closest station:  Minimal Impact.  Planned Service in the area:  Service Location Year to be Completed  None  Access:  Access: Access lanes are to be a minimum 15' width and must provide an elevator lock box containing a switch or lever to activate the gate for fire department use.  Access lanes are to be a minimum of 20 feet wide with a vertical clearance of 13 feet 6 inches.  Turnabout for fire apparatus shall have a minimum centerline radius of 50 feet. (T or Y turnaround acceptable to the AHJ shall be permitted) (Florida Fire Prevention Code)  Fire Engineering & Water Supply Bureau site plan review and approval required prior to time of permit.	•		zoning hearings section The discount discount section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the secti
Recommendation: Approved Approved with conditions Approved with no change from previous submittal Denial Defer to DIC comments  **Exic Appartment is July July India Freduction*  Estimated number of alarms generated annually by application:  If there is an impact, below is the service availability:  Station District 44 Grid 673 DU/SF Occupancy Type Impact of additional calls on closest station:   Minimal Impact.  Planned Service in the area:	Plans: Yes Tho	Request:	ВУ
Approved with conditions Approved with no change from previous submittal Denial Defer to DIC comments  **Exit Algustual is beligned in the previous submittal Defer to DIC comments  **Exit Algustual is beligned in the previous submittal Defer to DIC comments  Estimated number of alarms generated annually by application:  If there is an impact, below is the service availability:  Station District 44 Grid 0173 DU/SF Occupancy Type  Impact of additional calls on closest station:	Location: DE CORNER OF M	JW 186 ST. 2NW 68 AUE	
Estimated number of alarms generated annually by application:  If there is an impact, below is the service availability:  Station District 44 Grid 070 DU/SF Occupancy Type  Impact of additional calls on closest station:  Minimal Impact.  Planned Service in the area:  Year to be Completed  Service Location Completed  None  ACCESS: Description of Concern(s):  Gated entrances must have a minimum 15' width and must provide an elevator lock box containing a switch or lever to activate the gate for fire department use.  Access lanes are to be a minimum of 20 feet wide with a vertical clearance of 13 feet 6 inches.  Turnabout for fire apparatus shall have a minimum centerline radius of 50 feet. (T or Y turnaround acceptable to the AHJ shall be permitted) (Florida Fire Prevention Code)  Fire Engineering & Water Supply Bureau site plan review and approval required prior to time of permit.	Approved with condition Approved with no chatched Denial	nge from previous submittal	reduction.
If there is an impact, below is the service availability:  Station District 44 Grid 017 DU/SF Occupancy Type  Impact of additional calls on closest station: Minimal Impact.  Planned Service in the area: Year to be Completed  Service Location Year to be Completed  None  ACCESS: Description of Concern(s):  Gated entrances must have a minimum 15' width and must provide an elevator lock box containing a switch or lever to activate the gate for fire department use.  Access lanes are to be a minimum of 20 feet wide with a vertical clearance of 13 feet 6 inches.  Turnabout for fire apparatus shall have a minimum centerline radius of 50 feet. (T or Y turnaround acceptable to the AHJ shall be permitted) (Florida Fire Prevention Code)  Fire Engineering & Water Supply Bureau site plan review and approval required prior to time of permit.		<i>D</i>	
Station District	Estimated number of alarms generated ann	nually by application:	<del>-</del>
Impact of additional calls on closest station:    Minimal Impact.   Moderate Impact.   Moderate Impact.   Year to be Completed   None   None   Access:   Description of Concern(s):   Gated entrances must have a minimum 15' width and must provide an elevator lock box containing a switch or lever to activate the gate for fire department use.   Access lanes are to be a minimum of 20 feet wide with a vertical clearance of 13 feet 6 inches.   Turnabout for fire apparatus shall have a minimum centerline radius of 50 feet. (T or Y turnaround acceptable to the AHJ shall be permitted) (Florida Fire Prevention Code)   Fire Engineering & Water Supply Bureau site plan review and approval required prior to time of permit.	If there is an impact, below is the service at	vailability:	
Planned Service in the area:  Service  Location  Year to be Completed  None  ACCESS: Description of Concern(s):  Gated entrances must have a minimum 15' width and must provide an elevator lock box containing a switch or lever to activate the gate for fire department use.  Access lanes are to be a minimum of 20 feet wide with a vertical clearance of 13 feet 6 inches.  Turnabout for fire apparatus shall have a minimum centerline radius of 50 feet. (T or Y turnaround acceptable to the AHJ shall be permitted) (Florida Fire Prevention Code)  Fire Engineering & Water Supply Bureau site plan review and approval required prior to time of permit.	Station District 44. Grid 01	7a du/sf o	ccupancy Type
Planned Service in the area:  Service  Location  Year to be Completed  None  ACCESS: Description of Concern(s):  Gated entrances must have a minimum 15' width and must provide an elevator lock box containing a switch or lever to activate the gate for fire department use.  Access lanes are to be a minimum of 20 feet wide with a vertical clearance of 13 feet 6 inches.  Turnabout for fire apparatus shall have a minimum centerline radius of 50 feet. (T or Y turnaround acceptable to the AHJ shall be permitted) (Florida Fire Prevention Code)  Fire Engineering & Water Supply Bureau site plan review and approval required prior to time of permit.	Impact of additional calls on closest station	:  Minimal Impact.	
Service  Location  Tear to be Completed  None  ACCESS: Description of Concern(s):  Gated entrances must have a minimum 15' width and must provide an elevator lock box containing a switch or lever to activate the gate for fire department use.  Access lanes are to be a minimum of 20 feet wide with a vertical clearance of 13 feet 6 inches.  Turnabout for fire apparatus shall have a minimum centerline radius of 50 feet. (T or Y turnaround acceptable to the AHJ shall be permitted) (Florida Fire Prevention Code)  Fire Engineering & Water Supply Bureau site plan review and approval required prior to time of permit.		☑Moderate Impact.	
□ None  ACCESS: Description of Concern(s):  Gated entrances must have a minimum 15' width and must provide an elevator lock box containing a switch or lever to activate the gate for fire department use.  Access lanes are to be a minimum of 20 feet wide with a vertical clearance of 13 feet 6 inches.  Turnabout for fire apparatus shall have a minimum centerline radius of 50 feet. (T or Y turnaround acceptable to the AHJ shall be permitted) (Florida Fire Prevention Code)  Fire Engineering & Water Supply Bureau site plan review and approval required prior to time of permit.	Planned Service in the area:	/	
ACCESS: Description of Concern(s):  Gated entrances must have a minimum 15' width and must provide an elevator lock box containing a switch or lever to activate the gate for fire department use.  Access lanes are to be a minimum of 20 feet wide with a vertical clearance of 13 feet 6 inches.  Turnabout for fire apparatus shall have a minimum centerline radius of 50 feet. (T or Y turnaround acceptable to the AHJ shall be permitted) (Florida Fire Prevention Code)  Fire Engineering & Water Supply Bureau site plan review and approval required prior to time of permit.	Service	Location	Completed
Description of Concern(s):  Gated entrances must have a minimum 15' width and must provide an elevator lock box containing a switch or lever to activate the gate for fire department use.  Access lanes are to be a minimum of 20 feet wide with a vertical clearance of 13 feet 6 inches.  Turnabout for fire apparatus shall have a minimum centerline radius of 50 feet. (T or Y turnaround acceptable to the AHJ shall be permitted) (Florida Fire Prevention Code)  Fire Engineering & Water Supply Bureau site plan review and approval required prior to time of permit.			
lever to activate the gate for fire department use.  Access lanes are to be a minimum of 20 feet wide with a vertical clearance of 13 feet 6 inches.  Turnabout for fire apparatus shall have a minimum centerline radius of 50 feet. (T or Y turnaround acceptable to the AHJ shall be permitted) (Florida Fire Prevention Code)  Fire Engineering & Water Supply Bureau site plan review and approval required prior to time of permit.  OTHER CONCERN(S):			
	<ul> <li>lever to activate the gate for fire de</li> <li>Access lanes are to be a minimum</li> <li>Turnabout for fire apparatus shall the AH I shall be permitted) (Florid</li> </ul>	epartment use. of 20 feet wide with a vertical clearance of 13 have a minimum centerline radius of 50 feet. (* a Fire Prevention Code)	feet 6 inches. T or Y turnaround acceptable to
Gated extrances must be approved by FEHIS  Burese & must of lock by (see apose)	OTHER CONCERN(S):		1
Surese & must of lock by (see whome)	Sated extrance	is must be appro	ned by FEHLS
	Dierese & must	of lock by (see	Nume)
Reviewed by: Barbara J. Matthews  Phone: (786) 331-4542  Date: 1/5 Journal of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the service of the			<del></del>

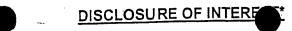
## TEAM METRO NORTHWEST OFFICE

#### **ENFORCEMENT HISTORY**

JOSE MILTON TRUST	THE SOUTHEAST CORNER OF NW 186 STREET, & NW 68 AVENUE, MIAMI-DADE COUNTY, FLORIDA
APPLICANT	ADDRESS
02/26/2004 DATE	03-123 HEARING NUMBER

#### NO CURRENT ENFORCEMENT ACTION

FEBRUARY 09, 2004 Inspection conducted revealed no violation.

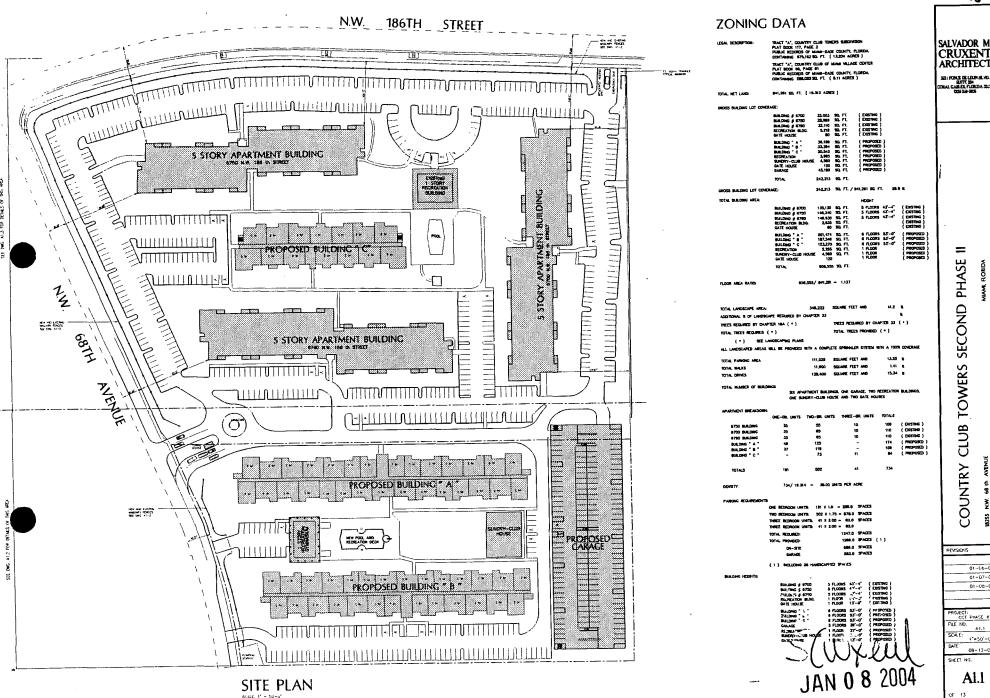


If a **CORPORATION** owns or leases the subject property, list principal stockholders and percent of stock owned by each. [Note: Where principal officers or stockholders consist of other corporation(s), trust(s), partnership(s) or similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

CORPORATION NAME: Not applicable.	
NAME AND ADDRESS	Percentage of Stock
If a TRUST or ESTATE owns or leases the subject property, list interest held by each. [Note: Where beneficiaries are other than not be made to identify the natural persons having the ultimate owners!	atural persons, further disclosure shall
TRUST/ESTATE NAME: <u>Jose Milton Trust</u>	
NAME AND ADDRESS	Percentage of Stock
Mr. Jose Milton	700 /-
<u> </u>	
If a PARTNERSHIP owns or leases the subject property, list the p partners. [Note: Where partner(s) consist of other partnership( entities, further disclosure shall be made to identify the natural pe interests].	ersons having the ultimate ownership
PARTNERSHIP OR LIMITED PARTNERSHIP NAME: <u>Not applicab</u>	le.
NAME AND ADDRESS	Percentage of Stock

including pr	CONTRACT FOR Face ASE by a Corporation, Trust incipal officers, stockholders, beneficiaries or partners, beneficiaries or partners consist of other corporate disclosure shall be made to identify natural persons	ers. [Note: where principal officers, itions, trusts, partnerships or similar
NAME OF F	PURCHASER: Not applicable.	
NAME AND	DADDRESS	Percentage of Stock
·		<u> </u>
Date of cont	ract:	
If any contir corporation,	ngency clause or contract terms involve additional part partnership or trust:	ies, list all individuals or officers, if a
NOTICE:	For changes of ownership or changes in purcha application, but prior to the date of final public he interest is required.	ase contracts after the date of the earing, a supplemental disclosure of
The above is	a full disclosure of all parties of interest in this application to t	he best of my knowledge and belief.
JOSE MILTO	N TRUST	
		Mrs. 13, 2003
Sworn to and	d subscribed before me this 13 day of Merch	, 2003. Affiant is personally
known to me	(Notary Public)	YVONNE A. BODDEN MY COMMISSION # CC 888402 EXPIRES: March 4, 2004 Bonded Thru Notary Public Underwritare
My commiss	ion expires Mu. 4 2004	.

Disclosure shall not be required of: 1) any entity, the equity interests in which are regularly traded on an established securities market in the United States or another country; or 2) pension funds or pension trusts of more than five thousand (5,000) ownership interests; or 3) any entity where ownership interests are held in a partnership, corporation or trust consisting of more than five thousand (5,000) separate interests, including all interests at every level of ownership and where no one (1) person or entity holds more than a total of five per cent (5%) of the ownership interest in the partnership, corporation or trust. Entities whose ownership interests are held in a partnership, corporation, or trust consisting of more than five thousand (5,000) separate interests, including all interests at every level of ownership, shall only be required to disclose those ownership interest which exceed five (5) percent of the ownership interest in the partnership, corporation or trust.

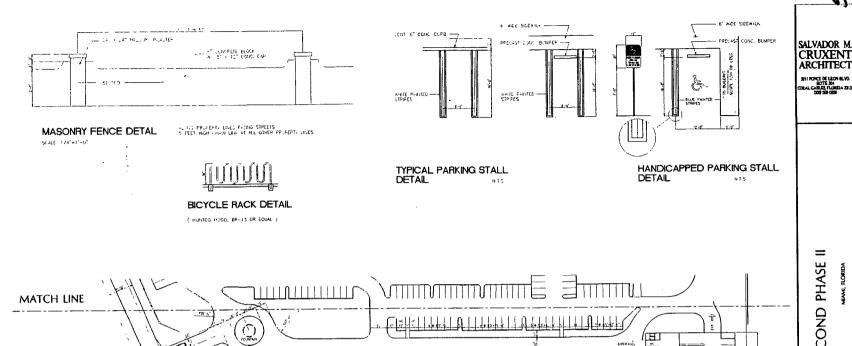


CRUXENT ARCHITECT

03-103

01-06-04 01-07-04 01-08-04

1"=50"-0" 08-12-03



COUNTRY CLUB TOWERS SECOND PHASE

REVISIONS 01~06~04

01-09-04

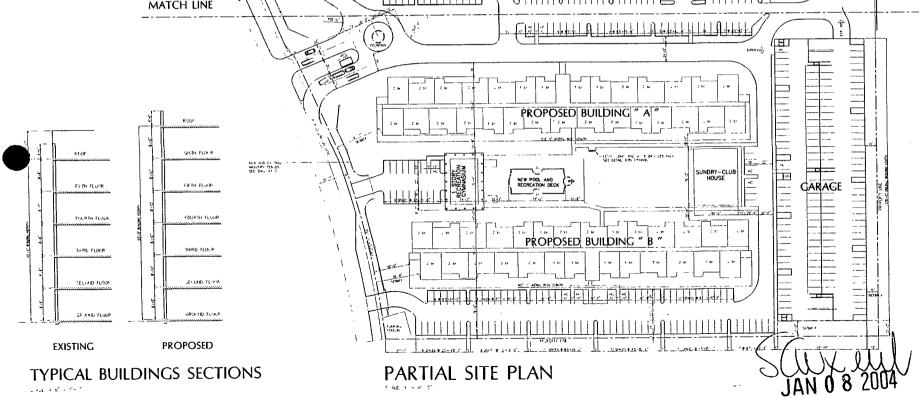
PROJECT
CCT PHASE II

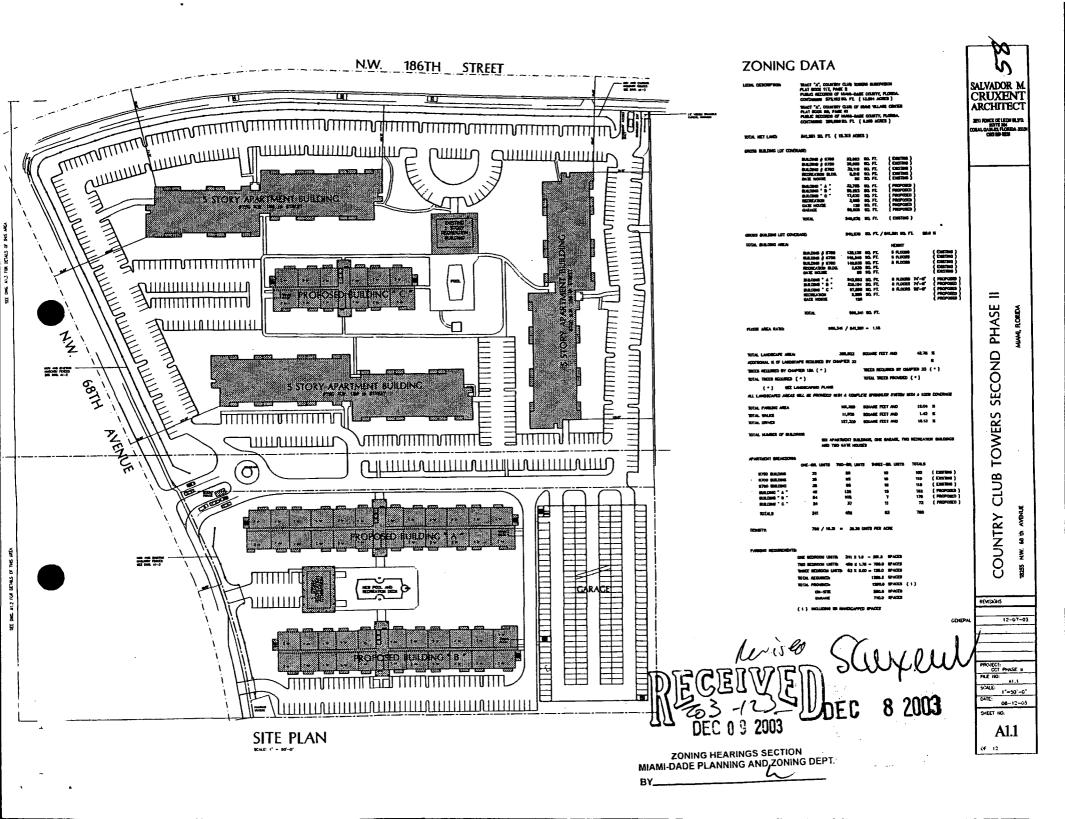
FILE NOPARTIAL SITE PLANT
SCALE. (5-16) OF

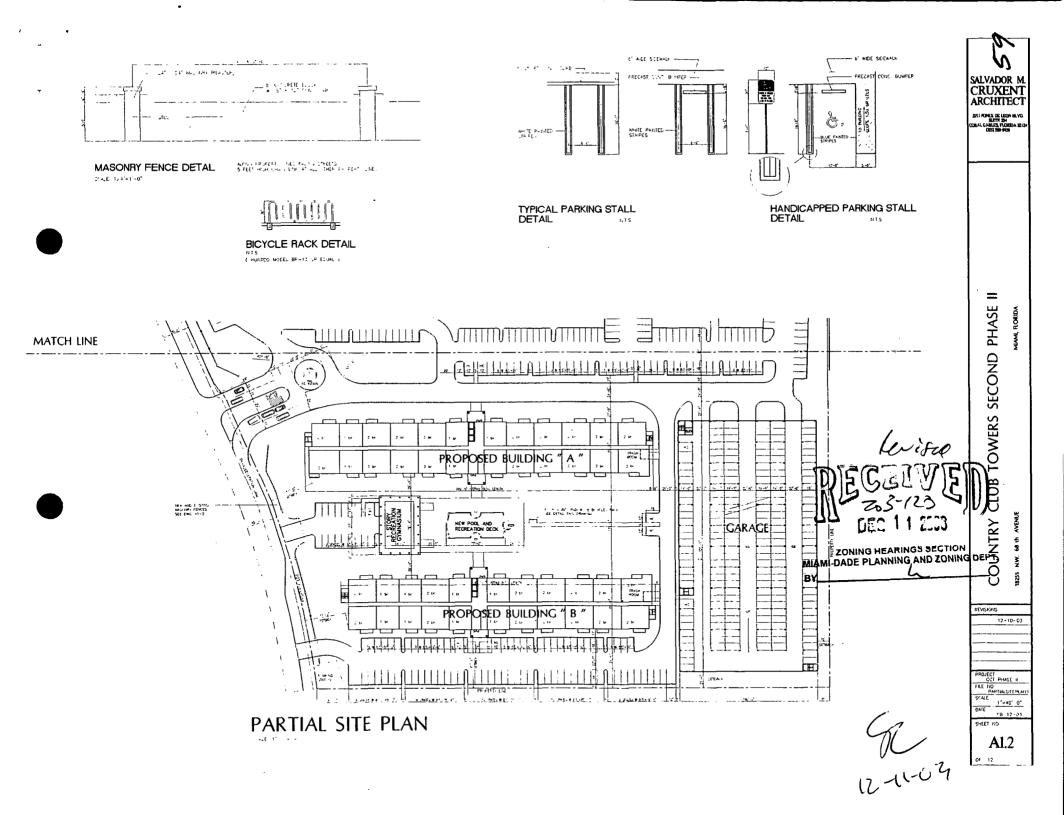
SHEET 110 **A1.2** 

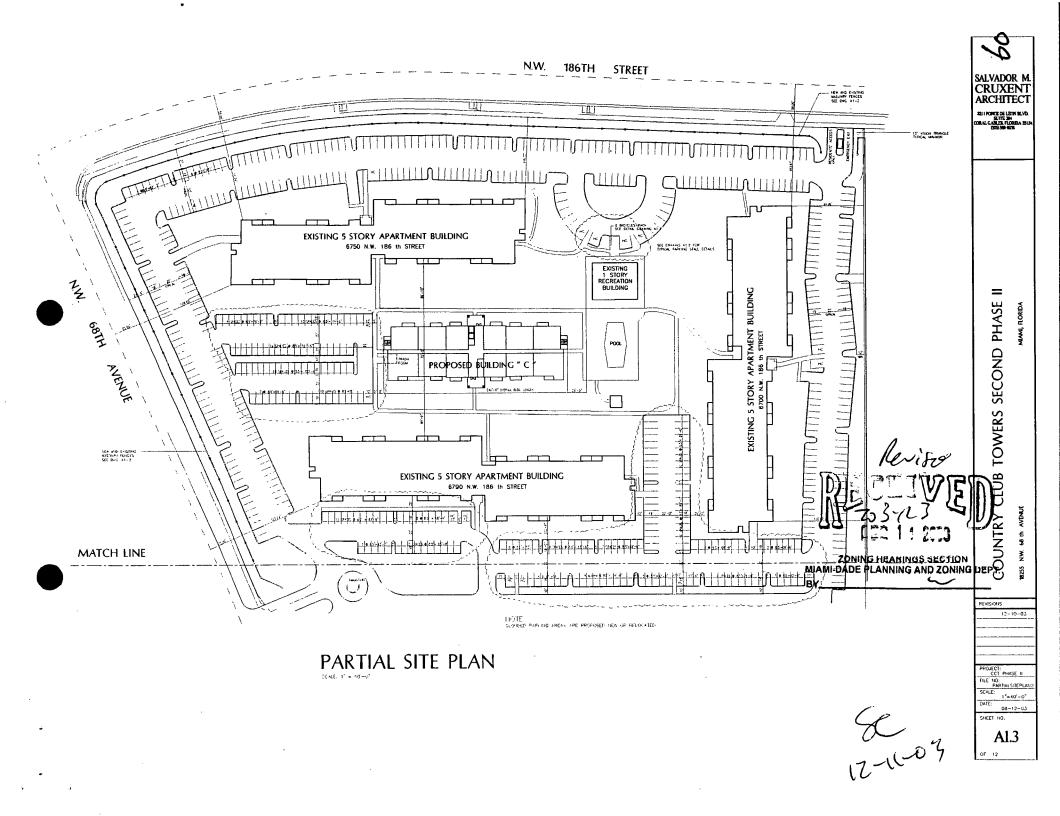
CF 13

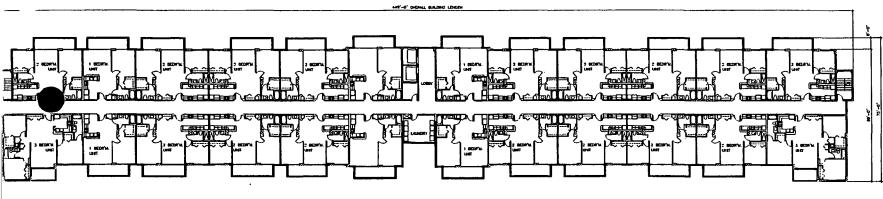
1"=40" 0" 06 - 12 - 03



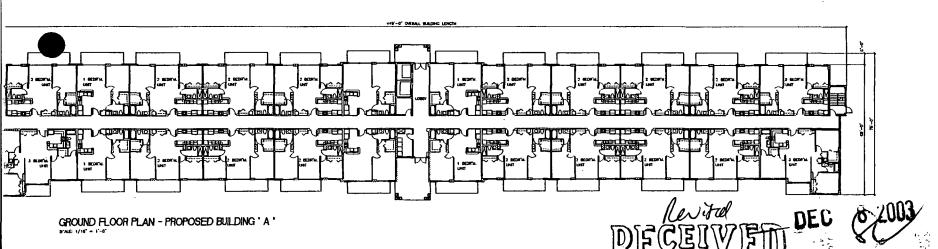








TYPICAL FILOOR PLAN - PROPOSED BUILDING ' A '



ZONING HEARINGS SECTION MIAMI-DADE PLANNING AND ZONING DEPT.

COUNTRY CLUB TOWERS SECOND PHASE II

SALVADOR N CRUXENT ARCHITECT

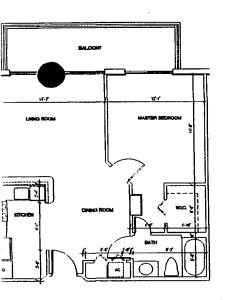
> 68 th AVENU ž

WYSOG 10-67-00

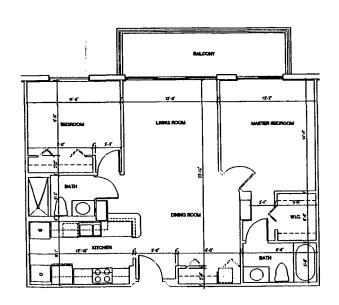
PROJECTI COUNTRY CLUB TOWERS

SCALD DY-Y-DATE 10-25-03

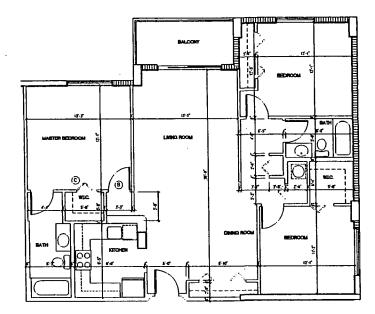
SEET NO. A2.1







TYPICAL FLOOR PLAN MODEL "B" SCALE: V4" = 10" TWO BEDROOM 996 S.F.



TYPICAL FLOOR PLAN MODEL "C" THREE BEDROOM 1347 SF. SCALE : V4" = T4"



ZONING HEARINGS SECTION MIAMI-DADE PLANNING AND ZONING DEPT. BY_____

SALVADOR M. CRUXENT ARCHITECT

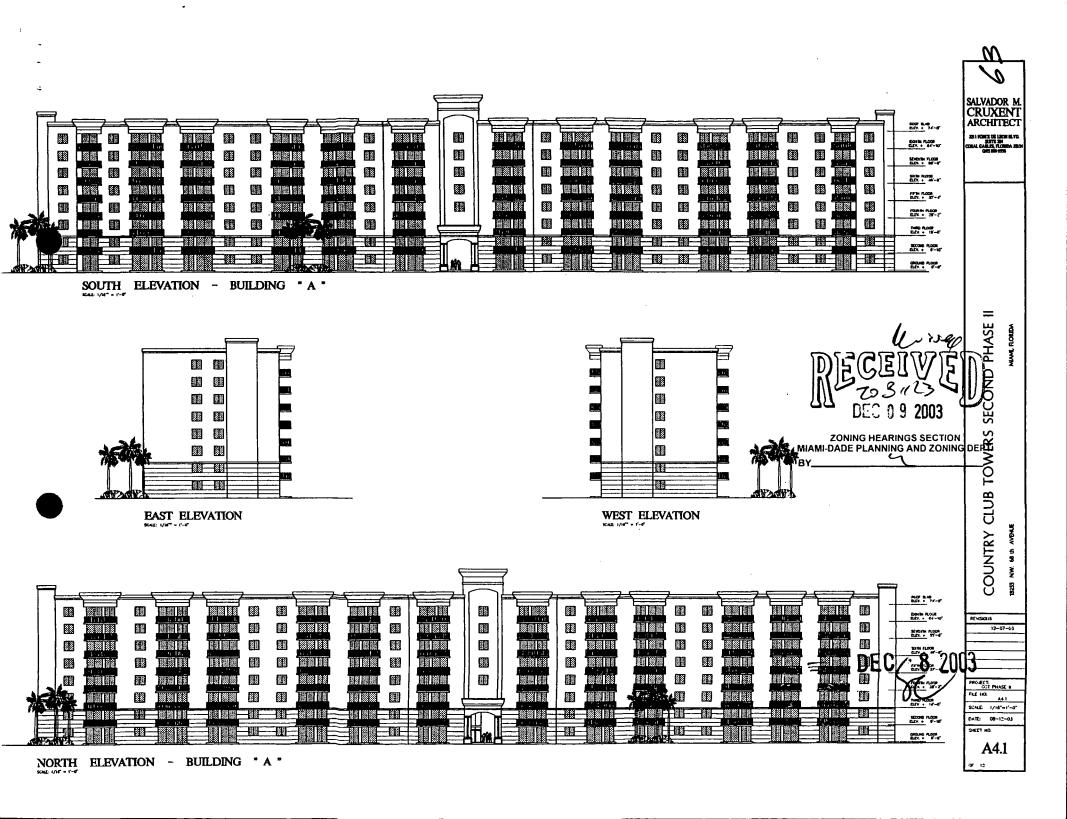
COUNTRY CLUB TOWERS SECOND PHASE II

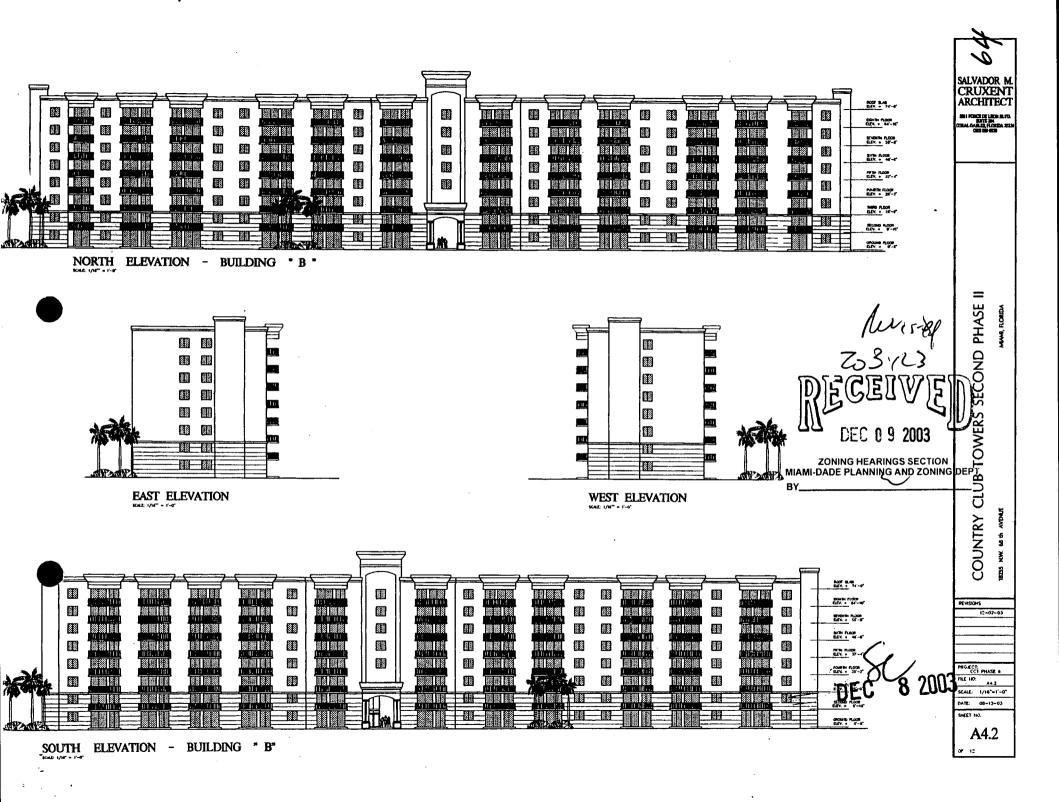
IQ:A22IO48

PROJECTS COUNTRY CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIFORNIA CALIF

SCALE MY-FG 11A1E 09-13-03

A3.1



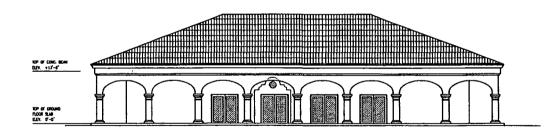




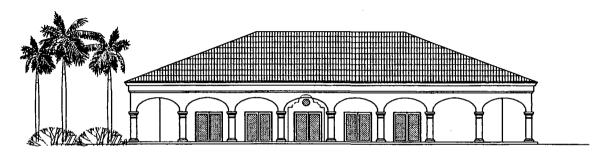


**SOUTH ELEVATION** 

RD HOUSE DETAILS



RENTAL OFFICE/CYM EAST ELEVATION



RENTAL OFFICE/GYM WEST ELEVATION



ZONING HEARINGS SECTION MIAMI-DADE PLANNING AND ZONING DEFT

ARCHITECT

COUNTRY CLUB TOWERS SECOND PHASE II

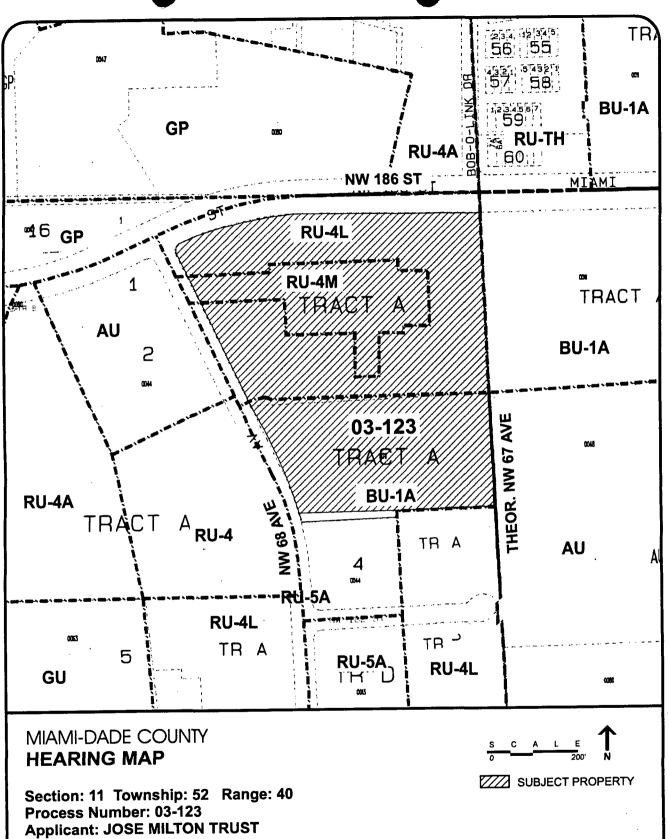
68 th AVENUE

REVISIONS

PROJECT: OCT PHASE II THE IN:

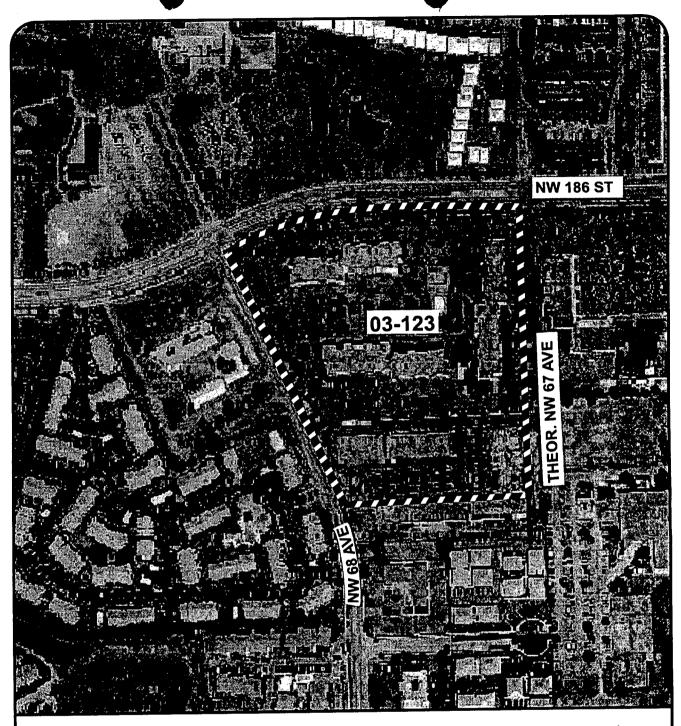
SCALE: 1/8"=1"-0" DATE: 05-12-03

SHEET INC. A5.2



District Number: 13 Zoning Board: C05 Drafter ID: ALFREDO

Scale: 1:300'



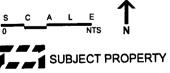
#### MIAMI-DADE COUNTY **AERIAL**

Section: 11 Township: 52 Range: 40 Process Number: 03-123

**Applicant: JOSE MILTON TRUST** 

District Number: 13 Zoning Board: C05 **Drafter ID: ALFREDO** 

Scale: NTS





Times 2/26/01 MEMORAND MEETING 2/28/04

Diane O'Quinn Williams, Director

February 19, 2004

TO:

Department of Planning and Zoning

DATE:

ATTN:

FROM:

Franklin Gutierrez, Agenda Coordinator

Received by

SUBJECT: Enforcement Histories for Community Zoning

Appeals Board #5,

Zoning Agenda Coordinator

FEB 2 0 2004

Zoning Meeting on February 26, 2004

Carlos Alvarez, Director

Miami-Dade Police Department

The following information is furnished pursuant to your request for various police statistics, i.e., Calls-for-Service (CFS) data and Part I & II Crimes information for uniform and non-uniform police units for two locations. These locations are situated in the police grids listed below. Police grids are approximately one-half-mile by one-halfmile in diameter. Therefore, the information provided for the grids corresponding to the following locations may include information from other locations within the grid.

❖ Grid 0093

A & T Holdings, LLC; Hearing # 03-154

Location: Northeast corner of NW 186 Street & NW 97 Avenue

Grid 0172

Jose Milton Trust: Hearing # 03-123

Location: Southeast corner of NW 186 Street & NW 68 Avenue

There are two attachments which represent the above two hearings; each has a gridmap cover sheet showing the locations with their respective grids highlighted. Data provided is for calendar years 2002, and 2003, and is inclusive of Unincorporated Miami-Dade County. CFS data and Part I & II Crimes information were extracted from the Crime Information Warehouse on February 8, 2004, and are subject to change due to cases being reconciled based on the most current information. CFS data includes police dispatch signals 13 through 55. Part I Crimes include the crime categories of murder/non-negligent manslaughter, forcible sex offenses, robbery, aggravated assault/stalking, burglary, larceny/thefts, motor vehicle theft, and arson.

A summary of the information requested is shown below:

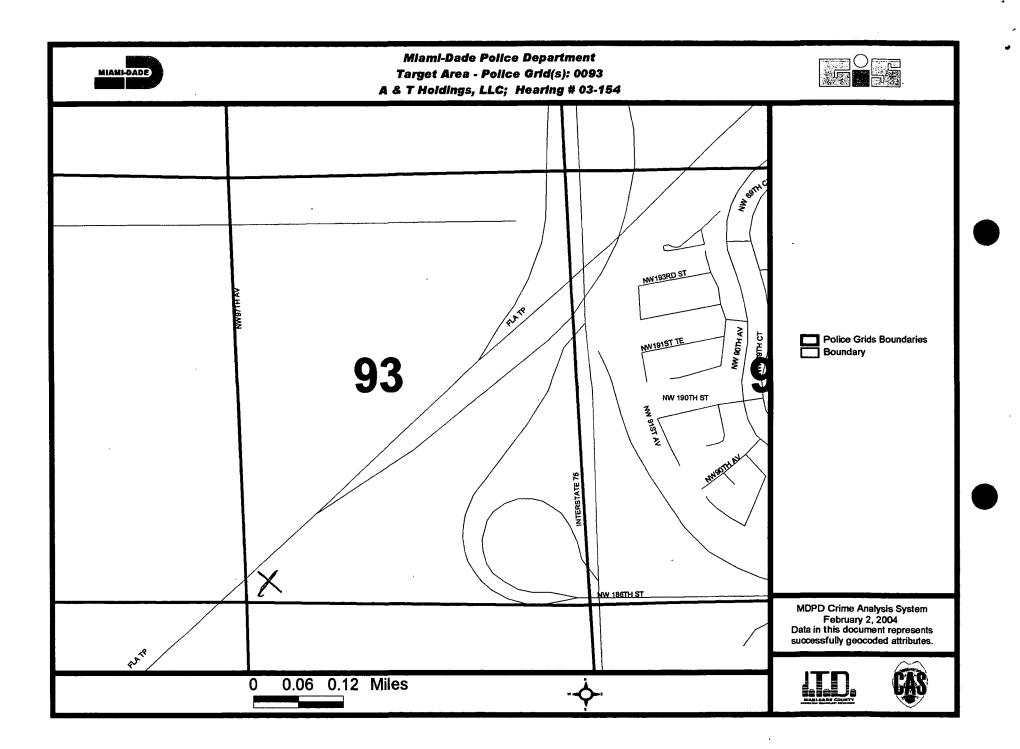
Grid Numbers	Hearing	Total Calls-For-Service		Total Part I	& II Crimes
(Address*)	Numbers	2002	2003	2002	2003
0093	03-154	2.7 No.	14	<b>1</b> 0 (2)	(
0172	03-123	10477	9509	793	758

Should you require additional information or assistance, please contact Major Charles L. Thompson, Police Administrative Bureau, at 305-471-3530.

CA/par Attachments (2)

Received by **Zoning** Agenda Coordinator

FEB 2 0 2004



# Summarized Grid Information By Signal For 1/1/02 Thru 2002-12-31

Detail Filter: ( Dis.Complaint Date >= "2002-01-01" and Dis.Complaint Date < "2003-01-01" ) and ( Dis.Grid in ( "0093" ) ) and ( Dis.Signal Code in ( "13", "14", "15", "16", "17", "18", "19", "20", "21", "22", "23", "24", "25", "26", "27", "28", "28", "39", "30", "31", "32", "33", "34", "35", "36", "37", "38", "39", "40", "41", "42", "43", "44", "45", "46", "47", "48", "49", "50", "51", "52", "53", "54", "55" ) ) and ( Dis.Primary Unit not contains '0000' ) and ( Dis.Primary Unit not contains 'SB' ) and ( Dis.Reporting Agency Code = substring ( "030", 1, 3 ) )

Miami-Dade Police Department

Crime Information Warehouse

Grid	Signal Code	Signal Description	Total
0093	13	SPECIAL INFORMATION/ASSIGNMENT	1
	14	CONDUCT INVESTIGATION	1
1	15	MEET AN OFFICER	4
( }	25	BURGLAR ALARM RINGING	1

Total Signals for Grid 0093:

7

Total Reported: 5

Total Not Reported: 2

Total for All Grids: 7

# Summarized Grid Information By Signal For 1/1/03 Thru 2003-12-31



Detail Filter: ( Dis.Complaint Date >= "2003-01-01" and Dis.Complaint Date < "2004-01-01" ) and ( Dis.Grid in ( "0093" ) ) and ( Dis.Signal Code in ( "13", "14", "15", "16", "17", "18", "19", "20", "21", "22", "23", "24", "25", "26", "27", "28", "29", "30", "31", "32", "33", "34", "35", "36", "37", "38", "39", "40", "41", "42", "43", "44", "45", "46", "47", "48", "49", "50", "51", "52", "53", "54", "55" ) ) and ( Dis.Primary Unit not contains '0000' ) and ( Dis.Primary Unit not contains 'SB' ) and ( Dis.Reporting Agency Code = substring ( "030", 1, 3 ) )

Miami-Dade Police Department

Crime Information Warehouse

Grid	Signal Code	Signal Description	Total
0093	14	CONDUCT INVESTIGATION	1
	15	MEET AN OFFICER	7
	25	BURGLAR ALARM RINGING	5
	43	BAKER ACT	1

Total Signals for Grid 0093:

14

Total Reported: 9

Total Not Reported: 5

Total for All Grids: 14



Miami-Dade Police Department

MIAMI-DADE POLICE DEPARTMENT

Part I and Part II Crimes w/o

Reporting Agency: MDPL

From 1/1/02 Thru 1/1/03

YEAR:

Crime Information Warehouse

Prompt Variable Used: All County: N

Grid(s): 0093

Crimes	Total Crimes
-	
	Grand Total:

Detail Filter: Ol.Incident From Date Time >= "2002-01-01" and Ol.Incident From Date Time < "2003-01-01" and Ol.Offense.Ucr Code in ( '090A', '1200', '130A', '130D', '2200', '230A', '230B', '230C', '230D', '230E', '230F', '230G', '2400', '090C', '130B', '130E', '350A', '350B', '5100', '2700', '260A', '260B', '260D', '260F', '1000', '2000', '110A', '110B', '110C') and Ol.Aoa Agency Code = '000' and Ol.Clearance Type Description <> 'UNFOUNDED' and Ol.Report Written YN = 'Y' and ( All County = 'Y' or All County = 'N' and Ol.Grid in ( "0093")) and Ol.Reporting_Agency_Code = "030"



Miami-Dade Police Department

# MIAMI-DADE POLICE DEPARTMENT Part I and Part II Crimes w/o ACA Reporting Agency: MDPL From 1/1/03 Thru 1/1/04 YEAR:

Crime Information Warehouse

Prompt Variable Used: All County: N

Grid(s): 0093

Crimes	Total Crimes	
-		

Grand Total:



Detail Filter: Ol.Incident From Date Time >= "2003-01-01" and Ol.Incident From Date Time < "2004-01-01" and Ol.Offense.Ucr Code in ( '090A', '1200', '130A', '130D', '2200', '230B', '230B', '230C', '230B', '230E', '230F', '230G', '2400', '090C', '130B', '130E', '350A', '350B', '5100', '2700', '260A', '260B', '260D', '260E', '260F', '1000', '2000', '110A', '110B', '110C') and Ol.Aoa Agency Code = '000' and Ol.Clearance Type Description <> 'UNFOUNDED' and Ol.Report Written YN = 'Y' and ( All County = 'Y' or All County = 'N' and Ol.Grid in ( "0093")) and Ol.Reporting_Agency_Code = "030"



To:

Nicholas D. Nitti

Acting DIC Coordinator

**Developmental Impact Committee** 

From:

Diane O'Quinn Williams, Director

Department of Planning and Zoning

Date:

February 18, 2004

Subject:

DIC #03-123

Jose Milton, Trust

#### **GENERAL INFORMATION**

#### **PURPOSE**

The applicant is requesting a district boundary change from BU-1A, Limited Business District, to RU-4, High Density Apartment House District, on a 6.11-acre parcel (South Parcel) in order to permit the development of a 336 unit multi-family apartment complex. The applicant is also requesting the deletion of three agreements and a modification of previously approved plans for the 13.204-acre, RU-4L and RU-4M zoned property (North Parcel) in order to submit revised plans indicating the development of said parcel with an additional 84-unit, multi-family apartment building (320 currently existing) and showing pedestrian and auto connections between the North and South parcels. The applicant is also requesting an unusual use to permit entrance features and a fountain, and a non-use variance of street tree, lot tree and shrub requirements. The subject property consists of approximately 19.314 acres and is located on the southeast corner of NW 68 Avenue and NW 186 Street. If approved, the total number of units on the property would be 740.

#### **LOCATION**

Southeast corner of NW 68 Avenue and NW 186 Street, Miami-Dade County.

#### SIZE OF PROPERTY

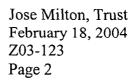
19.314 acres

#### SUBJECT PROPERTY

#### **EXISTING ZONING**

## EXISTING LAND USE PLAN DESIGNATION

BU-1A, RU-4L and RU-4M, apartments and shopping center Office/Residential on the BU-1A zoned portion, (6.11 acres/South Parcel) and Medium Density, 13 to 25 dwelling units per gross acre on the RU-4M and RU-4L portion (13.204 acres/North Parcel)





#### **SURROUNDING PROPERTY**

**NORTH** RU-4A, 2-story Business and Office

apartments, Country Club of Miami Golf Course

of Whathi Golf Course

SOUTH BU-1A and RU-4L, Office/Residential church and 2-story

apartments

**EAST** BU-1A and AU, Business and Office and Medium

shopping center and Density, 13 to 25 units per gross

school acre

WEST AU and RU-4, church Medium-High Density, 25 to 60

and 2-story townhouses dwelling units per gross acre and

Medium Density, 13 to 25 dwelling

units per gross acre

#### APPLICABLE CDMP GOALS, OBJECTIVES & POLICIES

#### Land Use Objective 3:

Assist the private sector in providing affordable housing products in sufficient numbers throughout the County by the year 2015, (approximately 272,000 units), keeping in mind the housing needs of existing and future residents as well as making an appropriate percentage (about 49 percent) of new affordable housing available to very low, low and moderate income residents.

#### Land Use Objective 5:

Upon the adoption of this plan, all public and private activities regarding the use, development and redevelopment of land and the provision of urban services and infrastructure shall be consistent with the goal, objectives and policies of this Element, with the adopted Population Estimates and Projections, and with the future uses provided by the adopted Land Use Plan (LUP) map and accompanying text titled "Interpretation of the Land Use Plan Map", as balanced with the Goals, Objectives and Policies of all Elements of the Comprehensive Plan.



#### Land Use Element Goal:

Provide the best possible distribution of land use and services to meet the physical, social, cultural, and economic needs of the present and future populations in a timely and efficient manner that will maintain or improve the quality of the natural and manmade environment and amenities, and preserve Miami-Dade County's unique agricultural lands.

#### Land Use Policy 2A:

All development orders authorizing new, or significant expansion of existing, urban land uses shall be contingent upon the provision of services at or above the Level of Service (LOS) standards specified in the Capital Improvements Element (CIE).

#### Land Use Policy 5B:

All development orders authorizing a new land use or development, or redevelopment, or significant expansion of an existing use shall be contingent upon an affirmative finding that the development or use conforms to, and is consistent with the goals, objectives and policies of the CDMP including the adopted LUP map and accompanying "Interpretation of the Land Use Plan Map". The Director of the Department of Planning and Zoning shall be the principal administrative interpreter of the CDMP.

#### Land Use Policy 1C:

Miami-Dade County shall give priority to infill development on vacant sites in currently urbanized areas, and redevelopment of substandard or underdeveloped environmentally suitable urban areas contiguous to existing urban development where all necessary urban services and facilities are projected to have capacity to accommodate additional demand.

#### **Land Use Policy 2C:**

Foster a diversity of affordable housing types within areas by the County's Comprehensive Development Master Plan to include single-family detached housing single-family attached and duplex housing, multi-family housing and mobile or manufactured homes.

#### Land Use Policy 1G:

To promote housing diversity and to avoid creation of monotonous developments, Miami-Dade County shall vigorously promote the inclusion of a variety of housing types in all residential communities through its area planning, zoning, subdivision, site planning and housing finance activities, among others. In particular, Miami-Dade



County shall review its zoning and subdivision practices and regulations and shall amend them, as practical, to promote this policy.

#### Land Use Element I-45:

The entire unincorporated area within the UDB is eligible to receive and utilize Severable Use Rights (SURs) in accordance with provisions of Chapter 33-B Code of Metropolitan Dade County. Accordingly, certain developments as specified in Chapter 33-B may be entitled to density or floor area bonuses as authorized by Chapter 33-B. If the existing SUR program is modified pursuant to Land Use Element Policy 8C or other transferable development rights programs are established, all rights established by such programs shall be transferable to receiver sites inside the UDB as established in those programs.

#### Land Use Element I-24:

Severable Use Rights (SURs) may be transferred to parcels within the Urban Development Boundary. When Severable Use Rights are utilized on residentially designated parcels, development will be allowed to exceed the maximum limits designated for the site or affected portions of it; however, this provision does not authorize the granting of a zoning district that, without use of SURs, would exceed the Plan density limit.

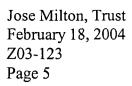
#### Land Use Policy 9C:

Miami-Dade County shall continue to encourage and promote the transfer of Severable Use Rights (SURs) from lands which are allocated SURs in Chapter 33B, Code of Miami-Dade County, to land located within the Urban Development Boundary as designated on the LUP map.

#### Land Use Policy 9M:

By 1998, Miami-Dade County shall develop an urban design manual establishing design guidelines. This manual shall provide additional criteria for use in review of all new residential, commercial and industrial development in unincorporated Miami-Dade County.

The Adopted 2005 and 2015 Land Use Plan designates the subject property as being within the Urban Development Boundary for **Medium Density Residential**, 13 to 25 dwelling units per gross acre (13.204 acres/North Parcel) and **Office/Residential** (6.11 acres/South Parcel).





#### **Statement of Legislative Intent:**

The Board recognizes that a particular application may bring into conflict, and necessitate a choice between, different goals, priorities, objectives, and provisions of the CDMP. While it is the intent of the Board that the Land Use Element be afforded a high priority, other elements must be taken into consideration in light of the Board's responsibility to provide for the multitude of needs of a large heavily populated and diverse community.

Recognizing that County Board and agencies will be required to balance competing policies and objectives of the CDMP, it is the intention of the County Commission that such boards and agencies consider the overall intention of the CDMP as well as portions particularly applicable to a matter under consideration in order to ensure that the CDMP, as applied will protect the public health, safety and welfare.

#### Land Use Element I-20.1:

The CDMP text describes each land use category shown on the Land Use Plan (LUP) map, and explains how each category and the Map are to be interpreted and used. Adherence to the LUP map and this text is a principal, but not the sole, vehicle through which many of the goals, objectives and policies of all elements of the CDMP are implemented.

#### Land Use Element I-21:

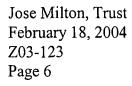
Intersections of section line roads shall serve as focal points of activity, hereafter referred to as activity nodes. Activity nodes shall be occupied by any nonresidential components of the neighborhood including public and semi-public uses. When commercial uses are warranted, they should be located within these activity nodes. In addition, of the various residential densities which may be approved in a section through density averaging or on an individual site basis, the higher density residential uses should be located at or near the activity nodes.

Areas abutting and adjacent to activity nodes should serve as transition areas suitable for eligible higher residential densities, public and semi-public uses including day care and congregate living uses.

#### **Land Use Element Concepts:**

Rejuvenate decayed areas by promoting redevelopment, rehabilitation, infilling and the development of activity centers containing a mixture of land uses.

Promote development of concentrated activity centers of different sizes and character to provide economies of scale and efficiencies of transportation and other services for both the public and private sectors.





Redirect higher density development towards activity centers or areas of high countywide accessibility.

#### **Housing Element Goal II:**

Identify and provide more affordable housing opportunities from within the existing housing stock and ensure its efficient use through rehabilitation, infill development, and adaptive conversion of non-residential structures to housing use throughout Dade County.

#### **Housing Element Policy 2C:**

Foster a diversity of affordable housing types within areas defined by the County's Comprehensive Development Master Plan to include single-family detached housing, single-family attached and duplex housing, multi-family housing and mobile or manufactured homes.

#### Housing Element Objective 3:

Assist the private sector in providing affordable housing products in sufficient numbers throughout the County by the year 2015, (approximately 272,000 units), keeping in mind the housing needs of existing and future residents as well as making an appropriate percentage (about 49 percent) of new affordable housing available to very low, low and moderate income residents.

#### **Housing Element III-1:**

This Element addresses needs that must be met primarily by the private sector. Housing is different. Local governments today build little or no new housing. Instead they provide plans, programs, and development regulations (zoning, building codes, etc.) to guide the private sector in the development of new housing.

#### Transportation Element 4A:

Dade County, with private sector assistance, shall provide mass transit service appropriate for the mix and intensity of development of urban centers identified in the Land Use Element.

#### **Transportation Element 5D:**

The County shall promote increased affordable housing development opportunities within proximity to areas served by mass transit.

#### Land Use Element Policy 7C:

New residential and non-residential developments, subdivisions and replats shall provide for buildings that front the transit street, or provide streets or pedestrian



connections that intersect with the transit street in close proximity to bus stops not more than 700 feet apart and, as appropriate, shall provide for new bus stops and/or pullouts.

#### Land Use Element I-1:

The Land Use Element is at the same time both reactive and proactive. It not only reflects previously adopted plans and established land use and zoning patterns, it also establishes the County's policy regarding future zoning and land use patterns. Similarly, while it reflects existing urban service capacities and constraints, it also establishes locations where future service improvements will have to follow. It also both reflects, and seeks to promote, activity in the private land market. Recent development trends are carefully considered, however, the Land Use Element endeavors to assert County influence on locations and intensity of future development activity.

#### **Medium Density Residential:**

This category allows densities from 13 to 25 dwelling units per gross acre. The type of housing structures typically permitted in this category include townhouses and low-rise and medium-rise apartments.

#### Medium-High Density Residential:

This category authorizes apartment buildings ranging from 25 to 60 dwelling units per gross acre. In this category, the height of buildings and, therefore, the attainment of densities approaching the maximum, depends to a great extent on the dimensions of the site, conditions such as location and availability of services, ability to provide sufficient off-street parking, and the compatibility with and the impact of the development on surrounding areas.

#### Office/Residential:

Uses allowed in this category include both professional and clerical offices, hotels, motels, and residential uses. Office developments may range from small-scale professional office to large-scale office parks. A specific objective in designing developments to occur in this category is that the development should be compatible with any existing, zoned, or Plan-designated adjoining or adjacent residential uses. The maximum scale and intensity, including height and floor area ratio of office, hotel and motel development in areas designated Office/Residential shall be based on such factors as site size, availability of services, accessibility, and the proximity and scale of adjoining or adjacent residential uses. Where the Office/Residential category is located between residential and business categories, the points of ingress and egress, should be oriented toward the business side of the site, and the residential side of the site should



be designed with sensitivity to the residential area and, where necessary, well buffered both visually and acoustically.

Residential uses are also allowed in the Office/Residential category. In these locations, residential density may be approved up to one density category higher than that allowed in the adjoining residentially designated area on the same side of the abutting principal roadway, or up to the density of existing adjoining or adjacent residential development, or zoning if the adjacent or adjoining land is undeveloped whichever is higher. If there is no adjacent or adjoining residential development existing, zoned or designated on the same side of the abutting principal roadway, then the allowable maximum residential density shall be based on that which exists or which the plan allows across the roadway. Where there is no residential use, zoning or designation on either side of the roadway, the intensity of residential development, including height, bulk and floor area ratio shall be no greater than that which would be permitted for an exclusively office use of the site. When residential uses are mixed with office uses, the overall scale and intensity, including height and floor area ratio of the mixed-use development shall be no greater than that which would be approved if the parcel was developed in either office use only or residential use only, whichever is higher. Within the Office/Residential category, business uses ancillary and to serve the on-site use(s) may be integrated in an amount not to exceed 15 percent of the total floor area. However, the Office/Residential category does not authorize other business or commercial uses.

#### Uses and Zoning Not Specifically Depicted:

Some existing uses and zoning are not specifically depicted on the LUP map. All existing lawful uses and zoning are deemed to be consistent with this Plan as provided in the section of this chapter titled "Concepts and Limitations of the Land Use Plan Map". The limitations referenced in this paragraph pertain to existing zoning districts and uses.

#### Uses and Zoning Not Specifically Depicted on the LUP Map:

Within each map category numerous land uses, zoning classifications and housing types may occur. Many existing uses and zoning classifications are not specifically depicted on the Plan map. This is due largely to the scale and appropriate specificity of the countywide LUP map, graphic limitations, and provisions for a variety of uses to occur in each LUP map category. In general, 5 acres is the smallest site depicted on the LUP map, and smaller existing sites are not shown. All existing lawful uses and zoning are deemed to be consistent with this Plan unless such a use or zoning (a) is found through a subsequent planning study, as provided in Land Use Policy 4E, to be inconsistent with the criteria set forth below; and (b) the implementation of such a finding will not result in a temporary or permanent taking or in the abrogation of vested rights as determined by the Code of Metropolitan Dade County, Florida. The criteria for determining that an existing use or zoning is inconsistent with the plan are as



follows: 1) Such use or zoning does not conform with the conditions, criteria or standards for approval of such a use or zoning in the applicable LUP map category; and 2) The use or zoning is or would be incompatible or has, or would have, an unfavorable effect on the surrounding area: by causing an undue burden on transportation facilities including roadways and mass transit or other utilities and services including water, sewer, drainage, fire, rescue, police and schools; by providing inadequate off-street parking, service or loading areas; by maintaining operating hours, outdoor lighting or signage out of character with the neighborhood; by creating traffic, noise, odor, dust or glare out of character with the neighborhood; by posing a threat to the natural environment including air, water and living resources; or where the character of the buildings, including height, bulk, scale, floor area ratio or design would detrimentally impact the surrounding area. Also deemed to be consistent with this Plan are uses and zoning which have been approved by a final judicial decree that has declared this Plan to be invalid or unconstitutional as applied to a specific piece of property. The presence of an existing use or zoning will not prevent the County from initiating action to change zoning in furtherance of the Plan map, objectives or policies where the foregoing criteria are met. The limitations outlined in this paragraph pertain to existing zoning and uses. All approval of new land uses must be consistent with the LUP map and the specific land use provisions of the various LUP map categories, and the objectives and policies of this Plan. However, changes may be approved to lawful uses and zoning not depicted which would make the use or zoning substantially more consistent with the Plan, and in particular the Land Use Element, than the existing use or zoning.

#### Other Land Uses Not Addressed:

Certain uses are not authorized under any LUP map category, including many of the uses listed as "unusual uses" in the zoning code. Uses not authorized in any LUP map category may be requested and approved in any LUP category that authorizes uses substantially similar to the requested use. Such approval may be granted only if the requested use is consistent with the objectives and policies of this Plan, and provided that the use would be compatible and would not have an unfavorable effect on the surrounding area: by causing an undue burden on transportation facilities including roadways and mass transit or other utilities and services including water, sewer, drainage, fire, rescue, police and schools; by providing inadequate off-street parking, service or loading areas; by maintaining operating hours, outdoor lighting or signage out of character with the neighborhood; by creating traffic, noise, odor, dust or glare out of character with the neighborhood; by posing a threat to the natural environment including air, water, and living resources; or where the character of the buildings, including height, bulk, scale, floor area ratio or design would detrimentally impact the surrounding area. However, this provision does not authorize such uses in Environmental Protection Areas designated in this Element.

#### **PERTINENT REQUIREMENTS/STANDARDS:**

Section 33-311(A)(4)(b)-Non-Use Variances from other than Airport Regulations. Upon appeal or direct application in specific cases, the Board shall hear and grant applications for non-use variances from the terms of the zoning and subdivision regulations and may grant a non-use variance upon a showing by the applicant that the non-use variance maintains the basic intent and purpose of the zoning, subdivision and other land use regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community and provided that the non-use variance will be otherwise compatible with the surrounding land uses and would not be detrimental to the community. No showing of unnecessary hardship to the land is required.

Section 33-311(A)(4)(c) - Alternative Non-Use Variance Standard. Upon appeal or direct application in specific cases to hear and grant applications for non-use variances from the terms of the zoning and subdivision regulations, upon a showing by the applicant that the variance will not be contrary to the public interest, where owing to special conditions, a literal enforcement of the provisions thereof will result in unnecessary hardship, and so the spirit of the regulations shall be observed and substantial justice done; provided, that the non-use variance will be in harmony with the general purpose and intent of the regulation, and that the same is the minimum non-use variance that will permit the reasonable use of the premises; and further provided, no non-use variance from any airport zoning regulation shall be granted under this subsection.

Section 33-311(A)(7) - The Board shall hear applications to modify or eliminate any condition or part thereof which has been imposed by any final decision adopted by resolution, provided, that the appropriate Board finds after public hearing that the modification or elimination, in the opinion of the Community Zoning Appeals Board, would not generate excessive noise or traffic, tend to create a fire or other equally or greater dangerous hazard, or provoke excessive overcrowding of people, or would not tend to provoke a nuisance, or would not be incompatible with the area concerned, when considering the necessity and reasonableness of the modification or elimination in relation to the present and future development of the area concerned.

Section 33-311(A)(17), Modification or Elimination of Conditions and Covenants After Public Hearing. The Community Zoning Appeals Board shall approve applications to modify or eliminate any condition or part thereof which has been imposed by any zoning action, and to modify or eliminate any restrictive covenants, or parts thereof, accepted at public hearing, upon demonstration at public hearing that the requirements of at least one of the paragraphs under this section has been met. Upon demonstration that such requirements have been met, an application may be approved as to a portion of the property encumbered by the condition or the restrictive covenant where the condition or restrictive covenant is capable of being applied separately and in full force as to the remaining portion of the property that is not a part of the



application, and both the application portion and the remaining portion of the property will be in compliance with all other applicable requirements of prior zoning actions and of this chapter.

#### NEIGHBORHOOD CHARACTERISTICS

The subject property is located in the Country Club of Miami area of Miami-Dade County. The site is surrounded by multi-family developments consisting of 2-story apartments and 2-story townhouses. However, some 5-story apartment buildings are concentrated along NW 186 Street, between NW 67 Avenue and NW 77 Avenue.

#### **ANALYSIS**

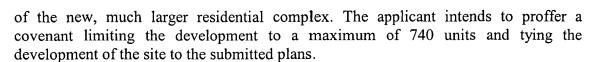
This application was deferred from the November 26, 2003, the December 17, 2003, the January 14, 2004, and the February 4, 2004, meetings of the DIC Executive Council in order to give the applicant an opportunity to work with staff. The applicant, Jose Milton Trust, is requesting a zone change from BU-1A, Limited Business District, to RU-4, High Density Apartment House District, on a 6.11-acre parcel (South Parcel) in order to permit the development of a multi-family apartment complex consisting of a parking garage and two, 6-story buildings housing a total of 336 residential units. In addition, the applicant is requesting the deletion of 3 agreements and a modification of previously approved plans for a 13.204-acre, RU-4L and RU-4M zoned property (North Parcel) in order to submit revised plans indicating the development of said parcel with one additional 6-story apartment building containing 84 residential units (320 units currently existing) and showing pedestrian and auto connections between the North and South parcels. The applicant is also requesting an unusual use to permit entrance features, a guardhouse and a fountain, and a variance of street tree, lot tree and shrub requirements. RU-4 zoning permits the development of multi-family housing at a maximum density of 50 units per net acre, with building heights that may be proposed to any height except as controlled by the shadow provisions, floor area ratio, setbacks and airport regulations of the code. The unified multi-family development will be approximately 19.314 acres in size and is located in the southeast corner of NW 68 Avenue and NW 186 Street.

The northerly 13.204-acre portion of the subject property (North Parcel) is currently zoned RU-4M and RU-4L and is developed with a 320-unit residential complex consisting of three, 5-story apartment buildings. In 1985, said portion of the subject parcel received a use variance and site plan approval permitting the conversion of the 320 previously approved residential units to 400 residential units, and a use variance request to permit a density of 30.9 units per acre to allow the additional 80 units. Staff notes that mathematically the 30.9 units per acre density would theoretically permit 88 additional units for a total of 408 units. However, the approved density was limited to the additional 80 units for a total of 400 units in order to allow the existing oversized apartments to be converted into smaller rentable units. The applicant's letter of intent represented that the application was for interior modifications only to convert 3-

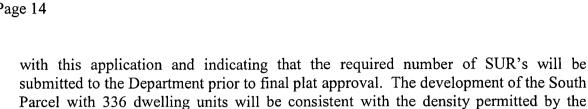
bedroom apartments which were virtually impossible to rent into 1 and 2 bedroom and studio units resulting in the same number of bedrooms (565), and no exterior building alterations were contemplated at that time. Staff notes, however, that the 80-unit conversion did not take place subsequent to the 1985 public hearing and the use variance has not been utilized. As part of the modification request for this hearing and according to the currently submitted site plan, the applicant proposes to develop 84 additional units for a total of 404 units (at a density of 30.6 units per acre) and a total of 753 bedrooms. The proposed plans indicate the construction on the North Parcel of a new 6-story apartment building. Staff notes that the 1985 Resolution did not rely on the exact mathematical calculation of the 30.9 unit density (which would have allowed a total of 88 units), and only approved an additional 80 units.

The southerly 6.11 acres of the subject property (South Parcel) is zoned BU-1A and currently developed with a retail complex known as the Country Club of Miami Village Center. As part of the rezoning of this portion of the subject property to RU-4 and in accordance with the submitted site plan, the applicant will demolish the existing decayed retail center and redevelop the site with 336 residential units in two, 6-story apartment towers and a detached parking garage.

The site plan submitted for the entire 19.314-acre property indicates a multi-family development consisting of three existing, 5-story apartment buildings, and three proposed 6-story apartment buildings with a 4-level parking garage. The existing apartment buildings located on the North Parcel are currently comprised of three rectangularly shaped buildings arranged around a landscaped courtyard fitted with a 1story recreation building and swimming pool. A new 6-story building will be added to the courtyard to form part of the existing complex. Parking for the existing and new buildings is located along the entire perimeter of the parcel. On the South Parcel, two apartment towers, also 6-stories in height, are arranged parallel to each other with a multi-level parking garage flanking both buildings. A new 1-story gymnasium and swimming pool is placed between the apartment buildings and includes 17 parking spaces to serve people visiting the complex or using the recreation building. The applicant is also proposing a clubhouse facility and a small convenience store that will only serve residents of the complex. Additional parking for residents and visitors to the apartment buildings will be available in a parking lot that is located along the site's south property line. Access into the development occurs off a gated entrance feature located adjacent to NW 68 Avenue. Once inside, a boulevard provides access to the parking area for the existing 5-story apartment buildings and the new 6-story apartment buildings, and to the proposed parking garage. A second entrance into the residential complex is provided off NW 186 Street but will only be utilized by residents of the multifamily facility. If developed, the unified 19.314-acre multi-family parcel will consist of a total of 740 apartment units made up of the 320 existing apartments and a new 6-story 84-unit apartment building located on the North Parcel (for a total of 404 units) and 336 new apartments on the South Parcel. The development will include numerous pedestrian and vehicular connections providing interconnectivity to all areas



The CDMP designates the 6.11 acres of the southerly portion of the subject property (South Parcel) for Office/Residential. Uses allowed in this category include both professional and clerical offices, hotels, motels, and residential uses. developments may range from small-scale professional office to large-scale office parks. A specific objective in designing developments to occur in this category is that the development should be compatible with any existing, or zoned, or Plan-designated adjoining or adjacent residential uses. In these locations, residential density may be approved up to one density category higher than that allowed in the adjoining or adjacent residentially designated area on the same side of the abutting principal roadway, or up to the density of existing adjoining or adjacent residential development, or zoning if the adjacent or adjoining land is undeveloped, whichever is higher. In ascertaining the density permitted on the South Parcel, staff notes that the northerly 13.02 acres of the subject site (North Parcel) are designated for Medium Density Residential use on the 2005-2015 Adopted Comprehensive Development Master Plan (CDMP) Land Use Plan map. This residential category would permit a maximum density of 25 units per gross acre. The 6.11-acre portion that is designated Office/Residential (South Parcel) can potentially be developed at one density category higher than that allowed in the adjoining or adjacent residentially designated area on the same side of the abutting principal roadway. One density category higher than the designated Medium Density Residential portion to the north would be the Medium-High Density Residential designation, which allows a maximum residential density of 60 units per gross acre. As such, the South Parcel can be developed at a maximum of 60 units per gross acre for a total of 366 units. Additionally, staff notes that although the existing BU-1A zoning is consistent with the CDMP, the CDMP states that changes may be approved to lawful uses and zoning not depicted which would make the use or zoning substantially more consistent with the Plan, and in particular the Land Use Element, than the existing use or zoning. The residential rezoning of the BU-1A portion of the property to RU-4 would make the zoning substantially more consistent with the CDMP since the LUP map designates the BU-1A parcel for office/residential uses and not for business use. Staff notes that RU-4 zoning would permit a maximum of 305 units at a density of 50 units per acre on the 6.11-acre South Parcel. The applicant will be purchasing thirty one (31) Severable Use Rights (SURs) in order to develop said Parcel with 336 units at a density of 55 units per net acre. Section 33B-45 of the Miami-Dade County Code states that the developer of a parcel of land may develop, in addition to the number of dwelling units authorized in each zoning district, one (1) dwelling unit for each severable use right, provided that the total development proposed does not exceed specific limitations outlined in said section. RU-4 zoning allows up to 50 dwelling units per net acre. However, with the use of SUR's, the density may be increased to 55 dwelling units per net acre. The applicant intends to proffer a covenant restricting the development to the plans submitted in conjunction



CDMP which would allow a maximum development of 366 units on this site.

According to the Master Plan's interpretative text, a specific objective in designing developments to occur in the Office/Residential categories, in this case the South Parcel, is that the development should be compatible with any existing, zoned, or Plandesignated adjoining or adjacent residential uses. In addition, the Master Plan's Medium High Residential category authorizes apartment buildings ranging from 25 to 60 dwelling units per gross acre. In this category, the height of buildings and, therefore, the attainment of densities approaching the maximum, depends to a great extent on the dimensions of the site, conditions such as location and availability of services, ability to provide sufficient off-street parking, and the compatibility with and the impact of the development on surrounding areas. Staff is of the opinion that, as proposed, the intensity and scale of the two, 53' high 6-story towers proposed on the South Parcel is not out of character with and is compatible with the 5-story, 43'-4" high apartment buildings existing on the North Parcel of the subject property. Although the new structures are higher than the existing, staff opines that the 10' height difference is minor and is not a visual detriment to the surrounding residential community. Staff notes that there are mid-rise apartments in the area, especially along the Miami Gardens Drive corridor extending between NW 57 Avenue and NW 87 Avenue, with heights not exceeding 5 stories, and which are close in height and scale to the proposed 6-story buildings. In staff's opinion, the proposed 53' apartment height is not an obvious departure from the existing building scale and intensity of the surrounding area that is mainly characterized by mid-rise and low-rise structures. The submitted site plan indicates a garage on the South Parcel that will be able to house the parking needs of its future residents; therefore, auto spillage into adjacent residential areas will not be a concern. Moreover, the site plan indicates that the building footprints of those structures proposed on the South Parcel will accommodate the requested density and still permit a significant area for open space that includes a clubhouse with gymnasium, swimming pool, and a green area for active recreation.

As previously mentioned, in 1985 the North Parcel was granted a modification of previously approved plans and a use variance to permit the conversion of 320 units into 400 units for a maximum of 80 additional units with no increase in bedrooms and no exterior building alterations. The applicant is currently relying on the prior density calculation of 30.9 units per net acre in order to construct 84 more units on the site (4 more than permitted in 1985). The CDMP states that all existing lawful uses and zoning are consistent with the CDMP. As such, the existing 1985 approval on the North Parcel allowing the conversion of 320 units into 400 is consistent with the CDMP. Staff notes that the Land Use Plan (LUP) map designates the North Parcel for medium density residential use which would permit a maximum of 25 dwelling units per acre. In accordance with this LUP map designation the maximum number of units



permitted on this parcel would be 325. As such, the 404 units proposed by the applicant will be inconsistent with the density permitted on this site by the CDMP, unless the CDMP otherwise deems the proposal to be consistent. The CDMP states that all existing lawful uses and zoning are deemed to be consistent with the CDMP. However, changes may be approved to lawful uses and zoning not depicted which would make the use or zoning substantially more consistent with the Plan, and in particular the Land Use Element, than the existing use or zoning.

#### The CDMP text also states that:

The Board recognizes that a particular application may bring into conflict, and necessitate a choice between, different goals, priorities, objectives, and provisions of the CDMP. While it is the intent of the Board that the Land Use Element be afforded a high priority, other elements must be taken into consideration in light of the Board's responsibility to provide for the multitude of needs of a large heavily populated and diverse community.

Recognizing that County Board and agencies will be required to balance competing policies and objectives of the CDMP, it is the intention of the County Commission that such boards and agencies consider the overall intention of the CDMP as well as portions particularly applicable to a matter under consideration in order to ensure that the CDMP, as applied will protect the public health, safety and welfare.

All development orders authorizing a new land use or development, or redevelopment, or significant expansion of an existing use shall be contingent upon an affirmative finding that the development or use conforms to, and is consistent with the goals, objectives and policies of the CDMP including the adopted LUP map and accompanying "Interpretation of the Land Use Plan Map". The Director of the Department of Planning and Zoning shall be the principal administrative interpreter of the CDMP.

The Land Use Plan map of the CDMP is a framework indicating the large-scale pattern of future land use in the metropolitan area. The land use pattern indicated on the Plan map is very detailed from a countywide perspective. However, the map does not specifically depict each and every individual occurrence of land use and zoning throughout the hundreds of neighborhoods which comprise Dade County; each of the land use categories indicated on the LUP map contains dominant uses, ancillary uses and secondary uses. The land use categories used on the LUP map are necessarily broad, and there are numerous instances where existing uses and parcels zoned for a particular use, are not specifically depicted on the Land Use Plan map. This is due largely to graphic limitations.



The CDMP text describes each land use category shown on the Land Use Plan (LUP) map, and explains how each category and the Map are to be interpreted and used. Adherence to the LUP map and this text is a principal, but not the sole, vehicle through which many of the goals, objectives and policies of all elements of the CDMP are implemented.

In adopting the CDMP the Board of County Commissioners recognized the limitation of the LUP map. As such, the densities allowed by the LUP map are not the sole guide for determining consistency. Staff must consider all the pertinent language in the text and the "overall" intention of the CDMP in order to make an affirmative finding of consistency.

In analyzing this application, staff recognizes that the property is located within a transition area adjacent to an activity node (see attached Exhibit A). The CDMP text states that:

Intersections of section line roads shall serve as focal points of activity, hereafter referred to as activity nodes. Activity nodes shall be occupied by any nonresidential components of the neighborhood including public and semi-public uses. When commercial uses are warranted, they should be located within these activity nodes. In addition, of the various residential densities which may be approved in a section through density averaging or on an individual site basis, the higher density residential uses should be located at or near the activity nodes.

Areas abutting and adjacent to activity nodes should serve as transition areas suitable for eligible higher residential densities, public and semi-public uses including day care and congregate living uses.

Among the long-standing concepts embodied in Dade County's CDMP are the following:

- Rejuvenate decayed areas by promoting redevelopment, rehabilitation, infilling and the development of activity centers containing a mixture of land uses.
- Promote development of concentrated activity centers of different sizes and character to provide economies of scale and efficiencies of transportation and other services for both the public and private sectors.
- Redirect higher density development towards activity centers or areas of high countywide accessibility.

The subject site is located adjacent to an activity node and the CDMP provides that authorized higher density development, should be located at or near activity nodes, and



that transition areas (where the subject site is located) are eligible for higher residential densities. In accordance with the CDMP's Housing Element, in 1995 the Department estimated a need for 1758 multi-family rental units between the years 2005 and 2015 in census tracts 101.17 and 101.18 where the subject property is located (see attached Exhibit B).

In Addition, the CDMP establishes a framework for the housing needs of the current and future population of Miami-Dade County, and in particular, addresses the need for affordable housing. The Housing Element in the text recognizes that this need must be met primarily by the private sector. Regarding housing in Miami-Dade County the text states that the County must:

Identify and provide more affordable housing opportunities from within the existing housing stock and ensure its efficient use through rehabilitation, infill development, and adaptive conversion of non-residential structures to housing use throughout Dade County.

Foster a diversity of affordable housing types within areas defined by the County's Comprehensive Development Master Plan to include single-family detached housing, single-family attached and duplex housing, multi-family housing and mobile or manufactured homes.

Assist the private sector in providing affordable housing products in sufficient numbers throughout the County by the year 2015, (approximately 272,000 units), keeping in mind the housing needs of existing and future residents as well as making an appropriate percentage (about 49 percent) of new affordable housing available to very low, low and moderate income residents.

This Element addresses needs that must be met primarily by the private sector. Housing is different. Local governments today build little or no new housing. Instead they provide plans, programs, and development regulations (zoning, building codes, etc.) to guide the private sector in the development of new housing.

The applicant is proposing the construction of an affordable housing development. Housing, especially affordable housing needs as stated in the CDMP text, must be primarily met by the private sector. Noting the increase in population growth in Miami-Dade County (1.5% per year equivalent to 30,000 people) it is the County's responsibility to guide individuals in the private sector that are willing to construct housing, especially affordable housing, to meet the needs of low and moderate-income families. The Land Use Element as well as the entire CDMP text establish the County's future zoning and land use patterns. It reflects, and seeks to promote activity in the private land market, and to influence the location and intensity of future development activity. Affordable housing must meet the growing needs of the



community and the private sector must offer a variety of housing types to accommodate these needs.

This application does not seek to demolish housing structures or to contribute to the loss of the existing housing stock in this urbanized area. On the contrary, the applicant intends to build new multi-family housing to meet the needs of a growing population. The applicant can currently utilize the 1985 approval on the North Parcel and convert the existing 320 units into 400 units. However, this would require the interior demolition of existing units and the displacement of the current residents of this apartment development which is currently at 100% occupancy. When the use variance was approved in 1985, the Executive Council recognized that the proposed density was considerably higher that the CDMP limit. The Council made a finding that the higher density would create needed additional rental housing of appropriate size without adversely affecting County services.

The subject site is located within the urban development boundary and abuts Miami Gardens Drive which is served by mass transit. The residents of the affordable housing project which are transit dependent persons will benefit from the proximity of their homes to a mass transit route (bus route 38 serves this area) and there is an existing bus stop located on the northwest corner of the site. The applicant has indicated his intent to work with Miami-Dade Transit in order to provide an additional bus stop as necessary along NW 186th street or NW 68th Avenue.

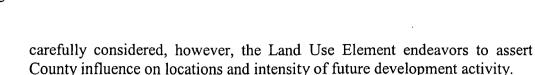
# The CDMP text states that:

The County shall promote increased affordable housing development opportunities within proximity to areas served by mass transit.

Dade County, with private sector assistance, shall provide mass transit service appropriate for the mix and intensity of development of urban centers identified in the Land Use Element.

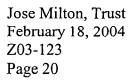
New residential and non-residential developments, subdivisions and replats shall provide for buildings that front the transit street, or provide streets or pedestrian connections that intersect with the transit street in close proximity to bus stops not more than 700 feet apart and, as appropriate, shall provide for new bus stops and/or pullouts.

The Land Use Element is at the same time both reactive and proactive. It not only reflects previously adopted plans and established land use and zoning patterns, it also establishes the County's policy regarding future zoning and land use patterns. Similarly, while it reflects existing urban service capacities and constraints, it also establishes locations where future service improvements will have to follow. It also both reflects, and seeks to promote, activity in the private land market. Recent development trends are



The development density previously approved and currently proposed on the North parcel exceeds the medium-density permitted by the LUP map designation. However, changes may be approved to lawful uses and zoning not depicted which would make the use or zoning substantially more consistent with the Plan, and in particular the Land Use Element, than the existing use or zoning. As stated by the CDMP text the Map is not the sole vehicle for determining consistency. Other elements must also be taken into consideration in order to provide for the multitude of needs within this diverse community. According to the CDMP text, staff has determined that this property is located in a transition area adjacent to an activity node where higher residential densities should be redirected. The proposed multi-family development on this site is the type of use intended for these transition areas. The CDMP states that the County must assist and guide the private sector in providing affordable housing products in sufficient numbers throughout the County, and shall promote affordable housing within proximity to areas served by mass transit. The text also requires the County to both reflect and seek to promote infilling, activity in the private land market to meet a public need, and to assert its influence on locations and intensity of future development activity. This application addresses all the goals cited above, and as such, the proposed change to the 1985 approval would make the use substantially more consistent with the CDMP. The approval of this application would permit the development of the property with a total of 740 units (336 units on the South Parcel and 404 units on the North Parcel). However, if only the request pertaining to the South Parcel is approved, the applicant can then proceed to construct 336 units on said Parcel and can still rely on the 1985 approved plan and density on the North Parcel to convert the existing 320 units into 400 units for a total of 736 units. Although staff cannot justify the additional 4 units on the North Parcel requested by the applicant, staff is of the opinion that the modification of plans permitting the previously approved 400 units on the North Parcel should be granted. The number of units is the same as that approved in 1985 (which the applicant is still entitled to use if a conversion occurs). The aforementioned approval is grandfathered since zoning approvals run with the land and is consistent with the CDMP which states that all existing uses and zoning are consistent with the CDMP.

The requests on the North Parcel seek to modify a previously approved site plan, and to eliminate 3 agreements that encumber the property. Said requests can be analyzed under Section 33-311(A)(7) of the Zoning Code that states that the Board shall hear applications to **modify or eliminate** any conditions or part thereof which has been imposed by any final decision adopted by resolution; provided, that the modification or elimination would not generate excessive noise or traffic, tend to create a fire or other equally or greater dangerous hazard, or provoke excessive overcrowding of people, or would not tend to provoke a nuisance, or would not be incompatible with the area concerned considering its present and future development. The 53' high, 6-story





building that will be added to the North Parcel is able to absorb the additional residential density in a manner that still permits the preservation of areas reserved for open space and recreation. Similar to the South Parcel buildings, the 6-story residential structure proposed for the North Parcel is not out of character with the area.

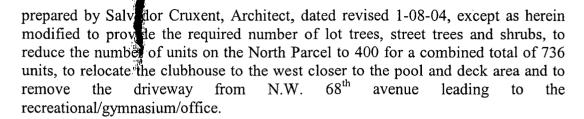
The applicant has indicated that the required number of trees and shrubs will be provided at the time of development. As such, request # 3 requesting to permit less street trees, lot trees and shrubs than required can be denied without prejudice unless withdrawn by the applicant. The unusual use request for entrance features and a fountain (request # 4) is supported by staff since it provides a focal point and identity to the development.

This application will provide much needed housing for the community, will allow a diversity of rental units, will not displace 320 families who currently reside on the property, will permit the same number of units that are currently approved on the North Parcel and will improve the appearance of the area by providing substantial landscaping. The approval will not be contrary to the public interest, is in keeping with the spirit of the regulations, and will permit the reasonable use of the premises. When considering the overall intention of the CDMP, and the goals, objectives and policies of same, the current proposal helps to meet a public need, is adjacent to mass transit, provides much needed affordable housing, and is located adjacent to an activity node where these uses are encouraged. As previously noted, if this application is approved the applicant will be permitted a total of 736 units. However, should the modification on the North Parcel not be granted the applicant can still rely on the 1985 approval which runs with the land and be permitted a total of 736 units. As such, staff is of the opinion that this application would permit a development that would be consistent with the CDMP and compatible with the area.

**RECOMMENDATION:** Approval of the district boundary change from BU-1A to RU-4 (request #1), approval of request #2 (for 736 units) with conditions, both requests #1 and 2 subject to the Board's acceptance of the proffered covenant; approval of request #4 with conditions; and denial without prejudice of request #3, unless withdrawn by the applicant.

# **CONDITIONS:**

- 1. That a site plan be submitted to and meet with the approval of the Director upon the submittal of an application for a building permit and/or Certificate of Use and Occupancy; said plan to include among other things but not be limited thereto, location of structure or structures, types, sizes and location of signs, light standards, off-street parking areas, exits and entrances, drainage, walls, fences, landscaping, etc.
- 2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Country Club Towers Second Phase II", as



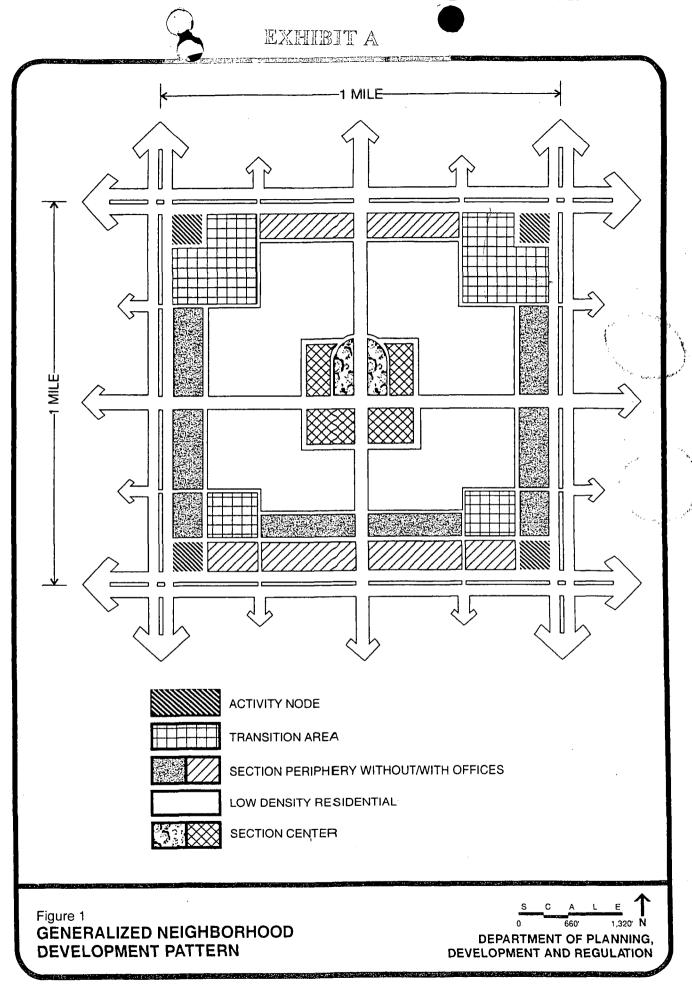
- 3. That the use be established and maintained in accordance with the approved plan.
- 4. That the applicant submit to the Department for its review and approval a landscaping plan that indicates the type and size of plant material prior to the issuance of a building permit and to be installed prior to the issuance of a Certificate of Use.
- 5. That the applicant obtain a Certificate of Use from the Department, upon compliance with all terms and conditions, the same subject to cancellation upon violation of any of the conditions.
- 6. That the applicant comply with all applicable conditions and requirements of the Department of Environmental Resources Management (DERM).
- 7. That the applicant comply with all applicable conditions and requirements of the Public Works Department.
- 8. That all the conditions of Resolution # 4-ZAB-98-85 remain in full force and effect except as modified herein.
- 9. That the applicant coordinate with Miami Dade Transit to provide one bus stop on N.W. 186 Street and one on N.W. 68th Avenue.

**DATE INSPECTED:** 09/02/03 **DATE TYPED:** 11/15/03

**DATE REVISED:** 11/18/03; 12/15/03; 12/17/03; 1/02/04; 1/06/04; 1/08/04

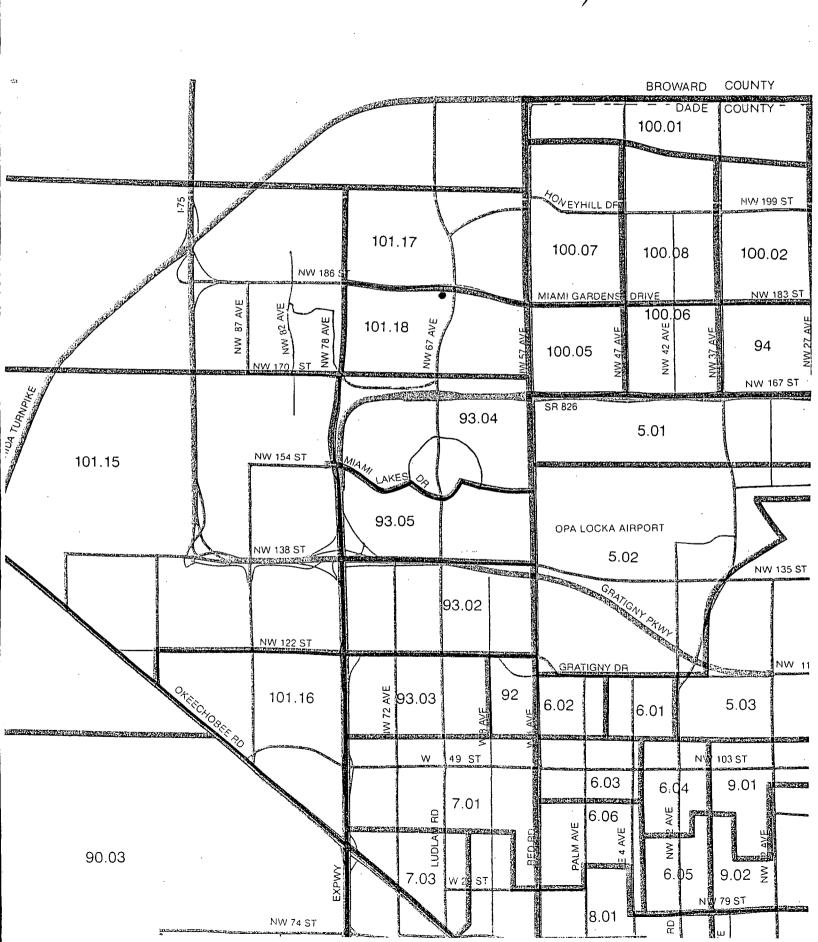
**DATE FINALIZED:** 02/18/04

DOQW:AJT:MTF:NDN:GRB:cr



# SEXHIBIT B 1990 CLENSUS TRACTS

# MIAMI-DAGE COUNTY





Diane O'Quinn Williams

Director

Department of Planning

FROM: Robsevelt Bradley, Direct

Miami Dade Transit

DATE:

October 14, 2003

**SUBJECT:** FY04 Blanket

Concurrency Approval

for Transit

This memo serves as a blanket authorization for your Department to continue to review and approve concurrency applications for mass transit in all areas of Miami-Dade County.

Miami-Dade Transit has been charged with the responsibility of reviewing and approving concurrency applications for mass transit levels of service as stated in County Ordinance 89-66, Administrative Order 4-85, and Section 33-G of the Miami-Dade County Code. Based on the latest socio-economic information provided by your Department's Research Division, and a review of the Metrobus/Metrorail service area, we are able to re-authorize your Department to review and approve concurrency applications since it appears that all areas of Miami-Dade County meet or exceed the level-of-service standards (LOS) for mass transit established in the above referenced County rules and regulations.

This authorization is intended to continue the arrangement between our respective departments, and is effective for the period October 1, 2003 to September 30, 2004, or until canceled by written notice from my office.

If your staff needs further information or assistance with mass transit concurrency matters, they may wish to contact Mario G. Garcia, Chief, System Planning Division, at 375-1193. Your continued cooperation on these important matters is greatly appreciated.

CC: Aurelio Rodriguez, P.E. Mario G. Garcia



DEPT. OF PLANNING & ZONING

cy to al Jones

TO:

Diane O'Quinn Williams

Director

Department of Planning and Zoning

DATE:

September 12, 2003

SUBJECT:

Solid Waste Disposal

Concurrency Determination

FROM:

Andrew Wilfork

Director

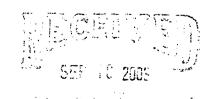
Department of Solid Waste Managemen

The Department of Solid Waste Management determines compliance with the County's adopted level-of-service (LOS) standard for solid waste disposal based on the ability of the County Solid Waste Management System (System) to accommodate projected waste flows for concurrency. Only those System facilities that are constructed, under construction, subject to a binding executed contract for construction, or subject to a binding executed contract for the provision of services are included in this determination, in accordance with Chapter 33G of the Miami-Dade County Code, Concurrency Management Program.

The attached spreadsheet presents the projected utilization of the System's remaining disposal capacity over a period of 15 years. The projection is based on the demand generated by those parties (municipalities and private haulers) who have committed their waste flows to the System through interlocal agreements and long term contracts as well as anticipated non-committed waste flows, in accordance with the LOS standard. The analysis shows adequate System capacity to meet the LOS until 2015 or seven (7) years beyond the minimum standard. This determination is contingent upon the continued ability of the County and its disposal service contract providers to obtain and renew disposal facility operating permits from the applicable federal, state and local regulatory agencies. Therefore, please be advised that the current LOS is adequate to permit development orders to be issued. This determination shall remain in effect for a period of three (3) fiscal years (ending September 30, 2006), at which time an updated determination will be issued. If, however, a significant event occurs which substantially alters these projections, the Department will issue an updated determination.

#### Attachment

cc: Pedro G. Hernandez, P.E., Assistant County Manager
Victoria Garland, Acting Deputy Director, DSWM
Vicente Castro, Assistant Director for Technical Services, DSWM
Paul J. Mauriello, Acting Assistant Director for Disposal Operations, DSWM
Charles W. Parkinson, Jr., Acting Assistant Director for Administration, DSWM



#### Department of Solid Waste Management (DSWM)

#### Solid Waste Facility Capacity Analysis

Fiscal Year 2002-2003

	7		RESOURCE	S RECOVERY	FACILITY			RTIFA	CILITY			LANDFILLS			
				<u></u>							SOUTH DADE	NORTH DADE	WMI	WHEELABRATOR (contract had ended on 12/31/02)	
Year	Waste Projections (tons)	On-site Gross Tonnage	Unders to South Dade	Shredded Tires to South Dade	Ash to Ashfill	Net Tonnage	RTI Gross Tonnage	RTI Rejects to North Dade and Medley Landfill	Okeelanta Ash to R.R. Ashfill	Tonnage	Garbage	Trash	Garbage &Trash	Trash	Total
	<u> </u>				[1]	[2]			[3]	[4]	[5]	[6]	[7]	[8]	(1)-(8)
2003 *	1,837,000	936,000	196,000	17,000	119,000	604,000	270,000	54,000	27,000	189,000	410,000	333,000	146,000	8,000	1,836,000
2004 **	1,715,500	936,000	178,000	14,000	122,000	622,000	270,000	67,000	27,000	176,000	273,500	395,000	100,000	0	1,715,500
2005	1,715,500	936,000	178,000	14,000	122,000	622,000	270,000	67,000	27,000	176,000	273,500	395,000	100,000	0	1,715,500
2006 ***	1,705,500	936,000	178,000	14,000	122,000	622,000	270,000	67,000	27,000	176,000	263,500	395,000	100,000	이	1,705,500
2007 2008	1,705,500 1,705,500	936,000 936,000	178,000 178,000	14,000 14,000	122,000 122,000	622,000 622,000	270,000 270,000	67,000 67,000	27,000 27,000	176,000 176,000	263,500 263,500	395,000 395,000	100,000	이	1,705,500
2009	1,705,500	938,000	178,000	14,000	122,000	622,000	270,000	67,000	27,000	176,000	263,500	395,000	100,000 100,000		1,705,500 1,705,500
2010	1,705,500	936,000	178,000	14,000	122,000	622,000	270,000	67,000	27,000	176,000	263,500	395,000	100,000	٥	1,705,500
2011	1,705,500	936,000	178,000	14,000	122,000	622,000	270,000	67,000	27,000	176,000	263,500	395,000	100,000	o l	1,705,500
RESOURC	SOURCES RECOVERY		GARBAGE	TRASH	TIRES	TOTAL									.,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,
· TOTAL	@ 1.84M		853,000	69,000 270,000	14,000	936,000 270,000		e; 9% Trash, includ	es Tires)						
" TOTAL	@ 1.72M		853,000	69,000 270,000	14,000	936,000 270,000		e; 9% Trash, includ	les Tires)						
··· TOTAL	@ 1.71M		853,000	69,000 270,000	14,000	936,000 270,000	(91% Garbag (RTI)	e; 9% Trash, includ	es Tires)						
TOTAL WA	STE STREAM	PERCENTAG	ES @1.84 MILL	IONS TONS					J						
GARBAGE TRASH 44	4%		997,000 816,000												
TOTAL	ECIAL (includes Tires) 1.3% 24,000 TAL 1,837,000														
REMAINING CAPACITY BY FACILITY AT END OF FISCAL YEAR									<u></u>						
	Ashfill							s	outh Dade	North Dade	WMI ****				
Year						Capacity ** Capacity *** Disposed									
Base Cap	pacity				207,000						4,352,000	3,130,000	146,000		

l				
,	Ashfill	South Dade	North Dade	WMI ****
Year	Capacity *	Capacity **	Capacity ***	Disposed
Base Capacity	207,000	4,352,000	3,130,000	146,000
2003	61,000	3,942,000	2,797,000	100,000
2004	0	3,668,500	2,402,000	188,000
2005	0	3,395,000	2,007,000	249,000
2006	0	3,131,500	1,612,000	249,000
2007	0	2,868,000	1,217,000	249,000
2008	0	2,604,500	822,000	249,000
2009	0	2,341,000	427,000	249,000
2010	0	2,077,500	32,000	249,000
2011	0	1,702,000	0	500,000
2012	0	1,294,500	0	500,000
2013	0	887,000	0	500,000
2014	0	479,500	. 0	500,000
2015	0	72,000	0	500,000
2016	0	0	0	
2017	0	0	0	
2018	0	0	0	
Total Remaining Years	0	12		

- Ashfill capacity includes cells 17 and 18; cells 19-20 have not been constructed. When cells 17 and 18 are depleted Resources Recovery Plant Ash and Okeelanta Ash go to South Dade Landfill and Medley Landfill (WMI).
- ** South Dade includes cells 3 and 4; cell \$ has not been constructed. Assumes all unders consumes capacity whether or not it is used as cover.
- *** North Dade capacity represents buildout of the facility. When North Dade Landfill capacity is depleted trash goes WMI and South Dade Landfill.
- **** Maximum Contractual Tonnage per year to VMII is 500,000 tons; Minimum Contractual Tonnage per year to VMII is 500,000 tons; Minimum Contractual Tonnage per year is 100,000 tons. VMII disposal contract ends September 30, 2015. After VMII disposal contract ends tonnage goes to South Dade Landfill. All capacity figures are derived from the Capacity of Miami-Dade County Landfills report prepared by the Brown and Caldwell, Dated October 2002.

Guillermo E. Olmedillo. Director Building & Zoning Department

DATE:

May 3rd, 1999

SUBJECT:Concurrency Approval

FROM:

Earl L. Carlton, Captain

Fire Engineering & Water Supply Bureau

Subject to compliance with Article XIV a. "Water Supply for Fire Suppression" of the Miami Dade County Code, blanket approval for "Initial Development Orders" for any proposed use is hereby granted until further notice.

A subsequent review to assess compliance with Miami Dade County Fire Flow Standards addressed under the concurrency requirements, as stated in Chapter 163, part 2. Florida Statute, will be necessary during the building permit process.

When zoning use variances are permitted the fire flow standards for the zone permitting the use will be applied.

ELC/ser



Guillermo E. Olmedillo

Director

Department of Planning and Zoning

DATE:

September 22, 2000

SUBJECT:

Solid Waste Disposal

Concurrency Determination

FROM:

Andrew Wilfork

Director /

Department of Solid Waste Management

The Department of Solid Waste Management determines compliance with the County's adopted level-of-service (LOS) standard for solid waste disposal based on the ability of the County Solid Waste Management System (System) to accommodate projected waste flows for concurrency. Only those System facilities that are constructed, under construction, subject to a binding executed contract for construction, or subject to a binding executed contract for the provision of services are included in this determination, in accordance with Chapter 33G of the Miami-Dade County Code, Concurrency Management Program.

The attached spreadsheet presents the projected utilization of the System's remaining disposal capacity over a period of nearly 40 years. The projection is based on the demand generated by those parties (municipalities and private haulers) who have committed their waste flows to the System through interlocal agreements and long term contracts as well as anticipated non-committed waste flows, in accordance with the LOS standard. The analysis shows adequate System capacity to meet the LOS until 2011 or nearly five (5) years beyond the minimum standard. This determination is contingent upon the continued ability of the County and its disposal service contract providers to obtain and renew disposal facility operating permits from the applicable federal, state and local regulatory agencies. Therefore, please be advised that the current LOS is adequate to permit development orders to be issued. This determination shall remain in effect for a period of three (3) fiscal years (ending September 30, 2003), at which time an updated determination will be issued. If, however, a significant event occurs which substantially alters these projections, the Department will issue an updated determination.

# Attachment

cc: Steve Spratt, Senior Assistant to the County Manager
Jim Bostic, Deputy Director, DSWM
Vicente Castro, Assistant Director for Technical Services, DSWM
Kathie G. Brooks. Assistant Director for Finance and Planning, DSWM
Paul Mauriello, Executive Assistant to the Director, DSWM





			RESOURCE	S RECOVERY FA	ACILITY	1		TRASH-TO-F	UEL FACILITY		SOUTH DADE	NORTH DADE	WMI	WTI	
Year	Waste Projections (lons)	On-site Gross Tonnage	Unders to South Dade	Shredded Tires to North Dade	Ash to Ashfall	Nel Tonnage [2]	RT: Gross Tonnage	Non-processables to North Dade	Processed Residue to South Dade	Net Tonnage [3]	Landfill Garbage [4]	Landili Trash (5)	Landtii Garbage/Trash (6)	Waste to energy Trash (7)	Total (11-(7)
20021	1.746,000	936,000	152,000	12,000	147,000	625,000	196.000	18,000	22.000	156.000					
2000 '	1.687.000	936,000	167,000	11,000		620,000	270,000	48,000	27,000	195,000					
2001 **	1,687,000	936,000	167,000	11,000	138,000	620,000	270,000	48.000	27.000	195,000					
2002	1,122.112.1	936,000	167,000	11,000		620,000	270,000	48.000	27,000	195.000	230.000		i	1	1,687.00
2003 ***	1,687,000		167.000	11,000		620,000	270,000	48.000	27,000	195,000	230,000	364.000			1,687,00
2004	1,687,000	936,000		11,000		620,000	270,000	48,000	27,000	195,000	230.000	364,000	140.000	. 0	1,687.00
2005	1,687,000	936,000	167.000			620,000	270,000	48.000	27,000	195,000		364,000	140,000	0	1,687.00
2006	1,687,000	938,000	167,000	11,000				48.000	27,000	195,000		364,000	140,000	. 0	1,687,00
2007	1,687,000	938,000		11,000		620.000	270,000	48,000 48,000	27,000	195,000					1.687.00
2008	1 587,000	936,000	167,000	11,000	138,000	620,000	270.000	48 000	27,000	193.000	2,30,000				

RESOURCES	GARBAGE	TRASH	TOTAL
* TOTAL & 1.75W	870 000	<b>66,00</b> 0	936,000 (93%G/F1FT)
		196,000	196,000 (RTI)
" TOTAL & 1 69M	970,000	66,000	936,000 (93%G/7%T)
		270.000	270 000 (RTI)
*** TOTAL @ 1.69M	870,000	66,000	936.000 (93%G/7%T)
w/o 100,000 to WTI		270.000	270,000 (RTI)
TOTAL	WASTE STREAM	PERCENTAGES	
@1.69 MILLIONS TO	INS		
GARBAGE 56 4%			952.000
TRASH 43 3%			730,000
SPECIAL 0 3%			5.000
TOTAL			1,687,000

Vear   Capacity   3,150,000   3,003,000   2000   3,003,000   2000   2,655,000   2,655,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000   2,000	South Dade Capacity ** 9,148,000 8,825,000 8,395,000 8,1395,000 7,905,000 7,445,000 7,445,000 7,245,000 6,985,000 8,755,000 6,555,000 6,555,000 5,835,000 5,835,000 5,835,000 5,835,000 5,835,000 5,835,000 5,835,000 4,945,000 4,945,000 4,945,000 4,945,000 4,945,000 4,945,000 4,945,000 4,945,000 4,945,000 4,945,000 4,945,000 4,945,000 4,945,000 4,945,000 4,945,000 4,945,000	North Dade Capacity	South Dase (w/o cell 5) (** 193 4 4 m (ons) 4.746.000 4.745.000 4.795.000 3.005.000 3.755.000 3.755.000 3.755.000 2.2155.000 2.355.000 2.155.000 1.895.000 1.895.000 1.205.000 1.405.000 1.405.000 1.405.000 1.505.000 1.505.000 1.505.000 1.505.000 1.505.000 1.505.000 1.505.000
Same Capacity   3,150,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000   1,000	9, 148,000 8,825,000 8,395,000 8,135,000 7,905,000 7,805,000 7,445,000 7,445,000 6,985,000 8,755,000 8,755,000 6,295,000 6,005,000 5,805,000 5,805,000 5,145,000 4,915,000 4,865,000 4,865,000 4,865,000 4,865,000 4,865,000 4,865,000 4,865,000 4,865,000 4,865,000 4,865,000 4,865,000 4,865,000 4,865,000 4,865,000 4,865,000 4,865,000 4,865,000 4,865,000 4,865,000 4,865,000 4,865,000 4,865,000 4,865,000 4,865,000 4,865,000 4,865,000 4,865,000 4,865,000 4,865,000	3,943,000 3,971,000 3,447,000 3,143,000 2,779,000 2,415,000 2,651,000 1,827,000 1,323,000 959,000 231,000 0 0	4,746,000 4,425,000 4,196,000 3,985,000 3,735,000 3,505,000 3,275,000 2,815,000 2,585,000 2,125,000 2,125,000 1,865,000 1,435,000 1,205,000 975,000 975,000 975,000 255,000 255,000 555,000
3,003 000 001 2,865,000 002 2,727,000 003 3,2569,000 004 2,2451,000 005 2,313,000 006 2,175,000 007 2,037,000 008 1,175,1000 009 1,175,1000 001 1,465,000 011 1,465,000 011 1,465,000 011 1,207,000 010 1,209,000 010 1,209,000 010 1,209,000 010 1,209,000 010 1,209,000 010 1,209,000 010 1,209,000 010 1,209,000 010 1,209,000 010 1,209,000 010 1,209,000 010 1,209,000 010 1,209,000 010 1,209,000 010 1,209,000 010 1,209,000 010 1,209,000 010 1,209,000 010 1,209,000 010 1,209,000 010 1,209,000 010 1,209,000 010 010 010 010 010 010 010 010 010	8.825.000 8.195.000 8.135.000 7.805.000 7.875.000 7.445.000 7.215.000 6.985.000 6.755.000 6.985.000 6.295.000 6.525.000 5.835.000 5.835.000 5.835.000 5.145.000 4.915.000 4.915.000 4.955.000 4.955.000 5.145.000 4.955.000 4.955.000 4.955.000 4.955.000 4.955.000 4.955.000 4.955.000 4.955.000 4.955.000 4.955.000 4.955.000	3.671.000 3.407.000 3.143.000 2.776.000 2.415.000 2.051.000 1.887.000 959.000 231.002 0 0 0	4.425,000 4.195,000 3.735,000 3.735,000 3.505,000 3.275,000 2.455,000 2.555,000 2.125,000 2.125,000 1.435,000 1.435,000 1.205,000 1.205,000 975,000 975,000 515,000 255,000
2 855 000 002 002 003 004 005 005 006 006 007 007 008 009 009 009 009 001 011 014 015 015 016 017 017 017 017 018 019 019 019 019 019 019 019 019 019 019	8.595.000 8.135.000 7.905.000 7.805.000 7.445.000 7.445.000 6.985.000 6.755.000 6.525.000 6.295.000 5.835.000 5.835.000 5.835.000 5.835.000 5.835.000 5.835.000 6.985.000 6.985.000 6.985.000 6.985.000 6.985.000 6.985.000 6.985.000 6.985.000 6.985.000 6.985.000 6.985.000 6.985.000 6.985.000 6.985.000 6.985.000 6.985.000 6.985.000 6.985.000 6.985.000 6.985.000	3.407.000 3.143.000 2.778.000 2.415.000 2.651.000 1.687.000 1.323.000 959.000 595.000 231.000 0 0 0	4.185.000 3.965.000 3.755.000 3.505.000 3.275.000 3.045.000 2.815.000 2.355.000 2.125.000 1.865.000 1.865.000 1.435.000 1.205.000 975.000 745.000 515.000 585.000
2.727.000 203	8.365.000 8.135.000 7.905.000 7.875.000 7.475.000 7.215.000 6.985.000 6.985.000 6.985.000 6.085.000 5.835.000 5.835.000 5.9375.000 5.145.000 4.915.000 4.955.000	3,143,000 2,779,000 2,415,000 2,651,000 1,687,000 1,323,000 959,000 231,000 0 0 0 0	3,965,000 3,735,000 3,735,000 3,275,000 3,045,000 2,815,000 2,855,000 2,125,000 1,865,000 1,865,000 1,865,000 1,205,000 975,000 975,000 255,000 255,000
2, 599,000 004	8.135.000 7.875.000 7.875.000 7.445.000 7.215.000 6.985.000 6.755.000 6.295.000 6.085.000 5.835.000 5.835.000 5.835.000 5.145.000 4.195.000 4.885.000 4.885.000 4.285.000 4.285.000 4.285.000 4.285.000 4.285.000 4.285.000	2.779.000 2.415.000 2.051.000 1.887.000 1.323.000 959.000 595.000 231.002 0 0	3,735,000 3,045,000 3,275,000 3,045,000 2,815,000 2,855,000 2,125,000 1,495,000 1,495,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,000 1,205,
2 451.000 1005 1017 1027 1027 1038 1038 1038 1038 1038 1038 1038 1038	7, 905,000 7,845,000 7,445,000 7,215,000 6,985,000 6,755,000 6,295,000 6,085,000 5,835,000 5,835,000 5,145,000 4,915,000 4,855,000 4,855,000 4,855,000 4,255,000 4,255,000 4,255,000 4,255,000 4,255,000 4,255,000 4,255,000	2.415.000 2.051.000 1.687.000 1.323.000 959.000 959.000 231.000 0 0 0	3.505.000 3.275.000 3.045.000 2.815.000 2.585.000 2.125.000 1.895.000 1.435.000 1.205.000 975.000 975.000 515.000 285.000 555.000
2,113,000 1006 2,175,000 1007 2,037,000 1008 1,1899,000 1009 1,1621,300 1010 1,185,000 1011 1,185,000 1012 1,1347,000 1014 1,171,000 1015 1,171,000 1015 1,171,000 1016 1,171,000 1017 1,171,000 1018 1,171,000 1019 1,171,000 1019 1,171,000 1019 1,171,000 1019 1,171,000 1019 1,171,000 1019 1,171,000 1019 1,171,000 1019 1,171,000 1019 1,171,000 1019 1,171,000 1019 1,171,000 1019 1,171,000 1019 1,171,000 1019 1,171,000 1019 1,171,000 1019 1,171,000 1019 1,171,000 1019 1,171,000 1019 1,171,000 1019 1,171,000 1019 1,171,000 1019 1,171,000 1019 1,171,000 1019 1,171,000 1019 1,171,000 1019 1,171,000 1019 1,171,000 1019 1,171,000 1019 1,171,000 1019 1,171,000 1019 1,171,000 1019 1,171,000 1019 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,171,000 1,1	7.875.000 7.445.000 7.215.000 6.985.000 6.755.000 6.755.000 6.085.000 5.835.000 5.835.000 5.835.000 5.145.000 4.915.000 4.915.000 4.455.000 4.455.000 4.255.000	2,051,000 1,887,000 1,323,000 959,000 595,000 231,000 0 0 0	3,275,000 3,045,000 2,815,000 2,585,000 2,125,000 2,125,000 1,435,000 1,435,000 1,205,000 975,000 975,000 285,000 515,000 555,000
2 175,000 007 2 .037,000 008 1 .1689,000 009 1 .7761,000 010 011 1 .485,000 011 1 .485,000 012 1 .347,000 013 1 .1209,000 015 9 33,000 016 795,000 017 657,000 018 519,000 019 381,000 019 381,000 019 381,000 019 381,000 019 381,000 019 381,000 019 381,000 019 381,000 019 381,000 019 019 019 019 019 019 019 019 019	7, 445,000 7,215,000 6,985,000 6,785,000 6,285,000 6,285,000 5,835,000 5,835,000 5,145,000 4,915,000 4,985,000 4,485,000 4,485,000 4,485,000 4,485,000 4,485,000 4,485,000	1,687,000 1,323,000 959,000 595,000 231,000 0 0 0 0	3,045,000 2,815,000 2,555,000 2,155,000 2,155,000 1,895,000 1,435,000 1,205,000 975,000 775,000 515,000 285,000 55,000
2,037,000 1,000 1,189,000 1,189,1000 1,199,1000 1,1485,000 1,1485,000 1,1485,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149,000 1,149	7.215.000 6.985.000 8.785.000 8.525.000 6.925.000 5.005.000 5.005.000 5.375.000 5.145.000 4.915.000 4.485.000 4.225.000	1,323,000 959,000 595,000 231,000 0 0 0 0	2.815.000 2.885.000 2.125.000 2.125.000 1.885.000 1.885.000 1.885.000 1.205.000 975.000 975.000 515.000 285.000 555.000
1,899,000 000	6,985,000 6,755,000 6,295,000 6,085,000 5,605,000 5,605,000 5,375,000 4,915,000 4,915,000 4,485,000 4,225,000	959.000 595.000 231.000 0 0 0 0 0	2.585.000 2.355.000 2.125.000 1.895.000 1.485.000 1.425.000 975.000 745.000 515.000 285.000
1,761,000 100 1,623,300 101 1,485,000 102 1,347,000 103 1,209,000 105 1,1071,000 105 1,1071,000 106 1,795,000 107 1,570,000 107 1,570,000 108 1,570,000 109 1,570,000 109 1,570,000 109 1,570,000 109 1,570,000 109 1,570,000 109 1,570,000 109 1,570,000 109 1,570,000 109 1,570,000 109 1,570,000 109 1,570,000 109 1,570,000 109 1,570,000 109 1,570,000 109 1,570,000 109 1,570,000 109 1,570,000 109 1,570,000 109 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,000 1,570,00	6, 755, 000 6, 255, 000 6, 295, 000 6, 005, 000 5, 835, 000 5, 605, 000 5, 145, 000 4, 915, 000 4, 455, 000 4, 455, 000 4, 225, 000 4, 225, 000	595.000 231.000 0 0 0 0 0 0	2.355.000 2.125.000 1.895.000 1.895.000 1.495.000 1.205.000 975.000 745.000 515.000 285.000 55.000
1,623,000 011	5.525.000 6.295.000 6.065.000 5.835.000 5.875.000 5.175.000 4.915.000 4.865.000 4.225.000	231,000 C O C O O O O	2, 125,000 1,895,000 1,895,000 1,495,000 1,205,000 975,000 745,000 515,000 285,000
1,485,000 101 1,347,000 1013 1,209,000 104 1,1071,000 105 193,3,000 106 1795,000 107 187,000 108 199 181,000 109 181,000 109 181,000 109 191 105,000 109 109 109 109 109 109 109 109 109	6.295.000 6.065.000 5.835.000 5.605.000 5.375.000 5.145.000 4.915.000 4.685.000 4.225.000	C 0 0 C 0 0 C 0	1,895.000 1,665.000 1,435.000 1,205.000 975.000 745.000 515.000 285.000 55.000
1,347,000 1013 1,209,000 1014 1,1071,000 1015 933,000 1016 795,000 1017 657,000 1018 519,000 1019 381,000 1020 243,000 1021 105,000 1022 0 0 1021 0 1022 0 0 1022 0 0 1023 0 0 1030 0 0 1030 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030 0 0 0 1030	6.065.000 5.835.000 5.605.000 5.375.000 5.145.000 4.915.000 4.685.000 4.455.000 4.225.000	000000000000000000000000000000000000000	1,665,000 1,435,000 1,205,000 975,000 745,000 515,000 285,000 55,000
1.347,000 1013 1.209,000 1014 1.1071,000 1015 933,000 1016 795,000 1017 657,000 1018 519,000 1019 1019 1019 1019 1019 1019 101	5,835,000 5,605,000 5,375,000 5,145,000 4,915,000 4,685,000 4,455,000 4,225,000	0 0 0 0	1.435.000 1.205.000 975.000 745.000 515.000 285.000 55.000
11.209.000 1014 1.071.000 1015 933.000 1016 795.000 1017 657.000 1018 519.000 1019 101.000 1020 1021 105.000 1021 105.000 1022 105.000 1022 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.000 105.0000 105.000 105.000 105.0000 105.000	5,605,000 5,375,000 5,145,000 4,915,000 4,685,000 4,455,000 4,225,000	c 0 0 0	1,205,000 975,000 745,000 515,000 285,000 55,000
1.071.000 1015 933.000 1016 955.000 1017 657.000 1018 519.000 1019 381.000 1020 243.000 1021 105.000 1022 0 1025 0 1026 0 1027 0 1026 0 1027 0 1028 0 1028 0 1029 0 1029 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0 1020 0	5,375,000 5,145,000 4,915,000 4,685,000 4,455,000 4,225,000	0 0 0 0	975.000 745.000 515.000 285.000 55.000
933.000 016 933.000 016 955.000 017 657.000 018 519.000 020 243.000 021 105.000 022 0 0 022 0 0 023 0 0 024 0 0 025 0 0 027 0 0 027 0 0 028 0 0 029 0 0 029 0 0 030 0 0 040 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0 0 050 0	5.145,000 4,915,000 4.685,000 4.455,000 4.225,000	0 0 0	745,000 515,000 285,000 55,000
016 795.000 017 657.000 018 519.000 019 381.000 020 243.000 021 105.000 022 0 023 0 024 0 025 0 026 0 027 0 026 0 027 0 026 0 027 0 027 0 028 0 029 0 030 0	4,915,000 4,685,000 4,455,000 4,225,000	0 0 0	515.000 285.000 55.000
657.000 018	4,685,000 4,455,000 4,225,000	C 0	285.000 55.000
519.00C 019 381.00C 020 243.00C 021 105.00C 022 0 023 0 024 0 025 0 025 0 026 0 027 0 027 0 028 0 029 0 028 0 029 0 030 0 04 0 05 0 06 0 07 0 08 0 09 0 09 0 09 0 09 0	4,455,000 4,225,000	Ö	55.000
191.00C 122 243.00C 121 105.00C 122 0 1022 0 1023 0 1024 0 1025 0 1025 0 1026 0 1026 0 1027 0 1028 0 1028 0 1029 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0 1030 0	4.225.000		
020 243.000 021 105.000 022 0 073 0 073 0 024 0 025 0 026 0 027 0 028 0 029 0 030 0			
221 105.00C			-405,000
022 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0	3,995,000	0	
002	3,732.000	o .	-858,000
0024	3,364.000	0	-1,036,000
025 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0	2,996 000	r	-1,404,000
025 C C C C C C C C C C C C C C C C C C C	2.628.000	Ċ.	-1,772,000
227 C C C C C C C C C C C C C C C C C C	2.260.000	0	-2,140.000
028 C C C C C C C C C C C C C C C C C C C	1,892,000	٥	-2,508.000
0029 0 0 0030 0	1,524,000	0	-2,676,000
2030	1,156,000	0	-3,244,000
	788.000	0	-3.612.000
2031 ·	420.000	0	-3,980,000
032	<b>52.00</b> 0	0	-4,348.000
033	-316,000	0	-4,718,000
034	-684,000	0	-5,084,000
035	-1.052.000	0	-5,452.000
036	-1,420,000	0	-5,820.000
0037 0037	-1,788,000	0	-8,188.000
2035	2 450 000	0	-6,556.000
7039	-2.156,000	٥	-6,924.000
-	-2,156,000 -2,524,000		
otal Remaining Years 21		10	19

[&]quot;Ashfie capacity includes call 17-20, calls 19-20 have not been constructed."
"South Dade includes call 3,4 and 5, call 5 has not been constructed. Once ashfie capacity is used up san opes to South Dade. Assumes a uniones consumes capacity whether or not it is used as cover.
"North Dade capacity represents buildout of the facility. When North Dade langfie tapacity is depended than is exported at a capacity place are derived from the Capacity of Marin-Dade County. Lendfies record begand by the Engineering Division of the Oppartment of South Waste Management. Dated October 1995.

# MEMORANDUM

TO:

Dianne O'Quinn-Williams, Director Department of Planning and Zoning

DATE:

September 18, 2003

FROM:

Vivian Donnell Rodriguez, Director Park and Recreation Department

**SUBJECT:** Concurrency Approval

This memorandum updates the blanket concurrency approval memo of August 6, 2002. There is an adequate level of service within each of the three Park Benefit Districts for all unincorporated areas, as shown on the attached table, and we project that there will be sufficient surplus capacity to maintain an adequate level of service for one additional year. Nevertheless, on a case-by-case basis, this Department will additionally evaluate the capacity of existing parks to support projected residential populations created by new development.

This approval is valid until September 30, 2004. If conditions change prior to that, I will inform Helen Brown, Concurrency Administrator of your department.

Attachment

VDR: WHG:BF:RK

cc: Helen Brown, Metropolitan Planning, DP&Z W. Howard Gregg, Asst. Director for Planning & Development, PARD Barbara Falsey, Chief, Planning and Research Division, PARD

2003 PARK LOCAL OPEN SPACE BASED ON BENEFIT DISTRICTS - UNINCORPORATED AREA

PBD 2000 Population		Accrued Population	Total Population		Total Local	Surplus (Deficit)	Level of			
	ropulacion	ropulacion	ropulacion	Per 1000 (Acres)	Park Acres	School field Acres	1/2 Private Acres	Open Space	•	Service
====	=========	. = = = = = = = = = = = = = = = = = = =	=========				=======================================			:======
1	476,880	25,585	502,465	1,381.77	1,198.25	702.34	85.32	1,985.91	604.14	1.437
2 3	563,033 141,699	19,245 24,607	582,278 166,306	1,601.24 457.33	1,564.11 578.93	508.33 177.20	139.79 6.90	2,212.23 763.03	610.99 305.70	1.381 1.668
====		=========			=======================================	:======================================	=======================================	=========		=======
TOT:	:1,181,612	69,437	1,251,049	3,440.34	3,341.29	1,387.87	232.01	4,961.17	1,520.83	1.495



Guillermo E. Olmedillo

Director

Department of Planning and Zoning

DATE:

September 22, 2000

SUBJECT:

Solid Waste Disposal

Concurrency Determination

FROM:

Andrew Wilfork

Director /

Department of Solid Waste Management

The Department of Solid Waste Management determines compliance with the County's adopted level-of-service (LOS) standard for solid waste disposal based on the ability of the County Solid Waste Management System (System) to accommodate projected waste flows for concurrency. Only those System facilities that are constructed, under construction, subject to a binding executed contract for construction, or subject to a binding executed contract for the provision of services are included in this determination, in accordance with Chapter 33G of the Miami-Dade County Code, Concurrency Management Program.

The attached spreadsheet presents the projected utilization of the System's remaining disposal capacity over a period of nearly 40 years. The projection is based on the demand generated by those parties (municipalities and private haulers) who have committed their waste flows to the System through interlocal agreements and long term contracts as well as anticipated non-committed waste flows, in accordance with the LOS standard. The analysis shows adequate System capacity to meet the LOS until 2011 or nearly five (5) years beyond the minimum standard. This determination is contingent upon the continued ability of the County and its disposal service contract providers to obtain and renew disposal facility operating permits from the applicable federal, state and local regulatory agencies. Therefore, please be advised that the current LOS is adequate to permit development orders to be issued. This determination shall remain in effect for a period of three (3) fiscal years (ending September 30, 2003), at which time an updated determination will be issued. If, however, a significant event occurs which substantially alters these projections, the Department will issue an updated determination.

# Attachment

cc: Steve Spratt, Senior Assistant to the County Manager
Jim Bostic, Deputy Director, DSWM
Vicente Castro, Assistant Director for Technical Services, DSWM
Kathie G. Brooks, Assistant Director for Finance and Planning, DSWM
Paul Mauriello, Executive Assistant to the Director, DSWM

# Department of Solid Waste Management (DSWM) Solid Waste Facility Capacity Analysis Riscal Year 1999-2000





			RESOURCE	S RECOVERY F	ACILITY			TRASH-TO-F	UEL FACILITY		SOUTH DADE	NORTH DADE	į WMI	WTI	!
1	1		112000.10								Lendfill	Landfill	Landin	Waste to energy	Ì
ł	Waste Projections	On-site	Unders to	Shreaded Tires	Ash to Ashfai	Net	RT:	.,	Processed Residue	Net		Trash	Garbage/Trash	Trash	Total
l	(lons)	Gross	South Dade	to North Dage		Tonnage	Gross	to North Dade	to South Dade	Tonnage	Garbage		Garage mass		[1]-[7]
Year	(tons)	Tonnage	<b>33</b> 0		[1]	[2]	Tonnage			(3)	[4]	[5]	(0)	[7]	Libers
1		ICINIAGE			, ,						1		1		. 340 020
			152,000	12,000	147.000	525,000	195,000	18,000	22.000	158,000	323,000				
2000 '	1,746,000	936,000				620,000	270,000	48,000	27,000	195,000	230,000	264,000	140,000	100,000	1.887.000
2001 **	1,687,000	936,000	167.000	11,000				48,000	27.000	195,000		264,000	140,000	100,000	1.687.000
2002	1,687,000	936,000	167,000	11,000		620,000	270,000		27,000	195,000			140,000	0	1,687,000
2003	1.687.000	936,000	167,000	11,000		620.000	270,000	48.000				364,000			1,687,000
2004	1,587,000	936,000	167,000	11,000	138,000	620.000	270,000	48.000	27.000	195,000		364.000			1,687,000
2005	1,687,000		167,000	11,000	138,000	620,000	270,000	48.000	27,000	195.000					1,687,000
	1.687.000	936.000	167,000	11,000	138,000	620,000	270,000	48,000	27,000	195,000					1,687,000
2006			167,000	11,000		620,000	270,000	48.000	27,000	195,000	230.000	384,000			
2007	1.687.000					620.000	270,000	48 000	27,000	195,000	230.000	364.000	140,000	0	1.687.000
12008	1 687 000	936,000	167.000	11,000	138.000	020.000	. 2.0.000	-0 000							

RESOURCES	GARBAGE	TRASH	TOTAL
* TOTAL @ 175M	670 000	66.000	\$36,000 (93%G/TNT)
TOTAL BETTER		196,000	196,000 (RTI)
" TOTAL @ 1 69M	870.000	66,000	936,000 (93%G/7%T)
		270,000	270 000 (RTI)
*** TOTAL @ 1.69M	870,000	66,000	936,000 (93%G/7%T)
w/o 100,000 to WTI		270,000	270,000 (RTI)
TOTAL	. WASTE STREAM	PERCENTAGES	
@1.69 MILLIONS TO	NS		
GARBAGE 56 4%			952,000
TRASH 43 3%			730,000
SPECIAL 8 3%			5.000
TOTAL			1,687,000

EMAINING CAPACITY BY FACILITY	•	South Dade	North Dade	South Dade (w/o cell 5)
	Ashfill	Capacity **	Capacity ***	(le less 4.4 m tons)
ear	Сарасну *	9,148,000	3,943.000	4,748,000
ase Capacity	3,150,000	8,825,000	3,671,000	4,425,000
000	3,003.000	8,595,000	3,407,000	4,195.000
001	2.865.000	8.365.000	3,143,000	3,965,000
002	2.727.000		2,779,000	3,735,000
003	2.589.000	8.135.000		3.505.000
1004	2.451,000	7,905.000	2.415.000	3,275,000
005	2,313.000	7,675.000	2,051,000	3,045,000
006	2,175.000	7,445,000	1,687,000	2,815,000
XX XX7	2,037.000	7.215.000	1,323,000	2.585.000
08	1,899.000	6.985,000	959.000	2,355.000
XX 2	1,761 000	6.755 000	595.000	
010	1,623,300	6.525 000	231,000	2,125,000
)11	1,485,000	6.295,000	Ç	1,895.000
012	1,347,00C	6,065,000	0	1,665.000
	1,209.000	5,835.000	c	1,435,000
013 014	1,071,000	5,605.000	С	1,205,000
	933.000	5.375.000	0	975.000
015	795,000	5.145,000	0	745,000
016	657.000	4,915,000	0	515.000
017	519.000	4,685,000	C	285.000
018	381.000	4,455,000	0	<b>55.00</b> 0
019		4,225,000	0	-175,000
020	243.000	3,995.000	٥	-405,000
021	105.000	3,732,000	ū	-868,000
022	0	3,364,000	ō	1,038,000
623	0	2,996,000	Č	-1,404,000
024	\$	2.628.000	ċ	-1,772,000
025	0	2.260.000	0	-2,140.000
026	O.	1.892.000	ē	-2,508,000
027	5		0	-2 876.000
026	C	1,524.000		-3,244,000
029	0	1,156,000	e	-3,612,000
030	0	788,000	0	-3,980,000
031.	0	420,000	0	
032	0	52.000	0	-4,348.000
033	0	-316,000	0	4,716,000
034	0	-684,000	0	-5,084.000
035	. 0	-1.052.000	0	-5,452,000
036	o o	-1,420.000	0	-5,820,000
	Ŏ	-1,788.000	0	-6,188.000
2037	ō	-2.156.000	0	-6,556.000
2035	8	-2,524,000	٥	-6,924.000
	C .			
		32	10	19

*Applie capacity includes call 17-20, cells 19-20 have not been constructed.

"South Dade includes call 3,4 and 5 call 5 has not been constructed. Once ashfel capacity is used up an opes to South Dade. Assumes as unoner consumes capacity witherer or not it is used as cover ""Notify Dade capacity represents buildout of the facility. When North Dade landfel capacity is declared trash it asported All capacity faces are served from the Capacity of Marin-Dade County Landfel report present by the Engineering Division of the Department of Solid Waste Management. Direct October 1999.

# **MEMORANDUM**

TO:

Dianne O'Quinn-Williams, Director

Department of Planning and Zoning

DATE:

September 18, 2003

FROM:

Vivian Donnell Rodriguez, Director

Park and Recreation Department

**SUBJECT:** Concurrency Approval

This memorandum updates the blanket concurrency approval memo of August 6, 2002. There is an adequate level of service within each of the three Park Benefit Districts for all unincorporated areas, as shown on the attached table, and we project that there will be sufficient surplus capacity to maintain an adequate level of service for one additional year. Nevertheless, on a case-by-case basis, this Department will additionally evaluate the capacity of existing parks to support projected residential populations created by new development.

This approval is valid until September 30, 2004. If conditions change prior to that, I will inform Helen Brown, Concurrency Administrator of your department.

Attachment

VDR: WHG:BF:RK

cc: Helen Brown, Metropolitan Planning, DP&Z W. Howard Gregg, Asst. Director for Planning & Development, PARD Barbara Falsey, Chief, Planning and Research Division, PARD

## 2003 PARK LOCAL OPEN SPACE BASED ON BENEFIT DISTRICTS - UNINCORPORATED AREA

PBD 2000 Population		Accrued Population	Total Population	Need @	Exist	ing Local Open	Total Local	Surplus (Deficit)	Level of	
	=======================================		Populacion	2.75 Acres Per 1000 (Acres)	Park Acres	School field Acres	1/2 Private Acres	Open Space	Acres	Service
====	=========		******			= 0 = = = = = = = = = = = = = = = = = =	=======================================			:======
1	476,880	25,585	502,465	1,381.77	1,198.25	702.34	85.32	1,985.91	604.14	1.437
2	563,033	19,245	582,278	1,601.24	1,564.11	508.33	139.79	2,212.23	610.99	1.381
3	141,699	24,607	166,306	457.33	578.93	177.20	6.90	763.03	305.70	1.668
====		==========	=======================================		=======================================		======================================	=======================================		=======
TOT	1,181,612	69,437	1,251,049	3,440.34	3,341.29	1,387.87	232.01	4,961.17	1,520.83	1.495



Diane O'Quinn Williams

Director

of Plannin Department

FROM: Robsevelt Bradley, Directo

Miami Dade Transit

DATE:

October 14, 2003

**SUBJECT:** FY04 Blanket

Concurrency Approval

for Transit

This memo serves as a blanket authorization for your Department to continue to review and approve concurrency applications for mass transit in all areas of Miami-Dade County.

Miami-Dade Transit has been charged with the responsibility of reviewing and approving concurrency applications for mass transit levels of service as stated in County Ordinance 89-66. Administrative Order 4-85, and Section 33-G of the Miami-Dade County Code. Based on the latest socio-economic information provided by your Department's Research Division, and a review of the Metrobus/Metrorail service area, we are able to re-authorize your Department to review and approve concurrency applications since it appears that all areas of Miami-Dade County meet or exceed the level-of-service standards (LOS) for mass transit established in the above referenced County rules and regulations.

This authorization is intended to continue the arrangement between our respective departments, and is effective for the period October 1, 2003 to September 30, 2004, or until canceled by written notice from my office.

If your staff needs further information or assistance with mass transit concurrency matters, they may wish to contact Mario G. Garcia, Chief, System Planning Division, at 375-1193. Your continued cooperation on these important matters is greatly appreciated.

CC: Aurelio Rodriguez, P.E. Mario G. Garcia



MALAMAL-DADE COUNTY DEPT. OF PLANNING & ZONING





TO: Diane O'Quinn Williams

Director

Department of Planning and Zoning

DATE:

September 12, 2003

SUBJECT:

Solid Waste Disposal

Concurrency Determination

FROM:

Andrew Wilfork

Director

Department of Solid Waste Managemen

The Department of Solid Waste Management determines compliance with the County's adopted level-of-service (LOS) standard for solid waste disposal based on the ability of the County Solid Waste Management System (System) to accommodate projected waste flows for concurrency. Only those System facilities that are constructed, under construction, subject to a binding executed contract for construction, or subject to a binding executed contract for the provision of services are included in this determination, in accordance with Chapter 33G of the Miami-Dade County Code, Concurrency Management Program.

The attached spreadsheet presents the projected utilization of the System's remaining disposal capacity over a period of 15 years. The projection is based on the demand generated by those parties (municipalities and private haulers) who have committed their waste flows to the System through interlocal agreements and long term contracts as well as anticipated non-committed waste flows, in accordance with the LOS standard. The analysis shows adequate System capacity to meet the LOS until 2015 or seven (7) years beyond the minimum standard. This determination is contingent upon the continued ability of the County and its disposal service contract providers to obtain and renew disposal facility operating permits from the applicable federal, state and local regulatory agencies. Therefore, please be advised that the current LOS is adequate to permit development orders to be issued. This determination shall remain in effect for a period of three (3) fiscal years (ending September 30, 2006), at which time an updated determination will be issued. If, however, a significant event occurs which substantially alters these projections, the Department will issue an updated determination.

#### Attachment

cc: Pedro G. Hernandez, P.E., Assistant County Manager
Victoria Garland, Acting Deputy Director, DSWM
Vicente Castro, Assistant Director for Technical Services, DSWM
Paul J. Mauriello, Acting Assistant Director for Disposal Operations, DSWM
Charles W. Parkinson, Jr., Acting Assistant Director for Administration, DSWM



#### Department of Solid Waste Management (DSWM)

#### Solid Waste Facility Capacity Analysis

Fiscal Year 2002-2003

Γ	i	RESOURCES RECOVERY FACILITY					RTIFA	CILITY			LANDFILLS				
											SOUTH DADE	NORTH DADE	WMI	WHEELABRATOR (contract had ended on 12/31/02)	
Year	Waste Projections (tons)	On-site Gross Tonnage	Unders to South Dade	Shredded Tires to South Dade	Ash to Ashfill	Net Tonnage	RTI Gross Tonnage	RTI Rejects to North Dade and Medley Landfill	Okeelanta Ash to R.R. Ashfill	Tonnage	Garbage	Trash	Garbage &Trash	Trash	Total
	Ì		•		[1]	[2]			[3]	[4]	[5]	(6)	[7]	[8]	[1]-[8]
2003 •	1,837,000	936,000	196,000	17,000	119,000	604,000	270,000	54,000	27,000	189,000	410,000	333,000	146,000	8,000	1,836,000
2004 **	1,715,500	936,000	178,000	14,000	122,000	622,000	270,000	67,000	27,000	176,000	273,500		100,000	0	1,715,500
2005	1,715,500	936,000	178,000	14,000	122,000	622,000	270,000	67,000	27,000	176,000	273,500		100,000	0	1,715,500
2006 · · · 2007	1,705,500 1,705,500	936,000 936,000	178,000 178,000	14,000 14,000	122,000 122,000	622,000 622,000	270,000 270,000	67,000 67,000	27,000	176,000	263,500		100,000	0	1,705,500
2007	1,705,500	936,000	178,000	14,000	122,000	622,000	270,000	67,000	27,000 27,000	176,000 176,000	263,500 263,500	395,000 395,000	100,000 100,000	0	1,705,500
2009	1,705,500	936,000	178,000	14,000	122,000	622,000	270,000	67,000	27,000	176,000	263,500	395,000	100,000	٥	1,705,500 1,705,500
2010	1,705,500	936,000	178,000	14,000	122,000	622,000	270,000	67,000	27,000	176,000	263,500	395,000	100,000	ő	1,705,500
2011	1,705,500	936,000	178,000	14,000	122,000	622,000	270,000	67,000	27,000	176,000	263,500	395,000	100,000	ŏ	
RESOURC	ES RECOVER	Y	GARBAGE	TRASH	TIRES	TOTAL									
. TOTAL	@ 1.84M		853,000	69,000 270,000	14,000	936,000 270,000		je; 9% Trash, includ	es Tires)						
- TOTAL	ĝ 1.72M		853,000	69,000 270,000	14,000	936,000 270,000		e; 9% Trash, includ	es Tires)						
··· TOTAL	@ 1.71M		853,000	69,000 270,000	14,000	936,000 270,000		e; 9% Trash, includ	es Tires)						
TOTAL WA	STE STREAM	PERCENTAGE	S @1.84 MILLI	ONS TONS					- 1						
GARBAGE			997 000												
TRASH 44.			816,000						i						
SPECIAL (I	ncludes Tires)	1.3%	24,000 1,837,000												
REMAININ	G CAPACITY E	Y FACILITY A	T END OF FISC	AL YEAR							-				
1															
1		•			Ashfill					S	outh Dade	North Dade	WMI		
Year					Capacity *				·		Capacity **	Capacity ***	Disposed		
Base Cap	acity				207,000						4,352,000	3,130,000	146,000		
2003					61,000						3,942,000	2,797,000	100,000		
2004 2005					0						3,668,500	2,402,000	188,000		
2005					0						3,395,000	2,007,000	249,000		
2007					0						3,131,500 2,868,000	1,612,000 1,217,000	249,000 249,000		
2008					ŏ						2,604,500	822,000	249,000		
2009					ō						2,341,000	427,000	249,000		
2010					Ō						2,077,500	32,000	249,000		
2011					0						1,702,000	0	500,000		
2012					0						1,294,500	0	500,000		
2013					0						887,000	0	500,000		
2014					0						479,500		500,000		
2015					0						72,000	0	500,000		
2016					0						0	0			
2017					0						0	0			

- Ashfill capacity includes cells 17 and 18; cells 19-20 have not been constructed. When cells 17 and 18 are depleted Resources Recovery Plant Ash and Okeelanta Ash go to South Dade Landfill and Medley Landfill (WMII).
- . ** South Dade includes cells 3 and 4; cell 5 has not been constructed. Assumes all unders consumes capacity whether or not it is used as cover.

2018

Total Remaining Years

- *** North Dade capacity represents buildout of the facility. When North Dade Landfill capacity is depleted trash goes WMI and South Dade Landfill.
- **** Maximum Contractual Tonnage per year to WMI is 500,000 tons; Minimum Contractual Tonnage per year is 100,000 tons. WMI disposal contract ends September 30, 2015. After VMI disposal contract ends tonnage goes to South Dade Landfill.

  All capacity figures are derived from the Capacity of Miami-Dade County Landfills report prepared by the Brown and Caldwell, Dated October 2002.

17 07.17A WEING DADE SSAMA" ME

Guillermo E. Olmedillo. Director

Building & Zoning Department

DATE:

May 3rd, 1999

SUBJECT:Concurrency

Approval

FROM:

Earl L. Carlton, Captain

Fire Engineering & Water Supply Bureau

Subject to compliance with Article XIV a. "Water Supply for Fire Suppression" of the Miami Dade County Code, blanket approval for "Initial Development Orders" for any proposed use is hereby granted until further notice.

A subsequent review to assess compliance with Miami Dade County Fire Flow Standards addressed under the concurrency requirements, as stated in Chapter 163, part 2. Florida Statute, will be necessary during the building permit process.

When zoning use variances are permitted the fire flow standards for the zone permitting the use will be applied.

ELC/ser